DISCARDED

Digitized by the Internet Archive
in 2026

https://archive.org/details/ideasthathaveinf0004oliv

THE

IDEAS

THAT HAVE INFLUENCED

CIVILIZATION

IN THE

ORIGINAL DOCUMENTS

OLIVER J. THATCHER, PH. D.

DEPARTMENT OF HISTORY, UNIVERSITY OF CHICAGO

AUTHOR OF "EUROPE IN THE MIDDLE AGE" (WITH F. SCHWILL), "A SHORT HISTORY OF MEDIAEVAL EUROPE," "A GENERAL HISTORY OF EUROPE" (WITH F. SCHWILL), "A SKETCH OF THE HISTORY OF THE APOSTOLIC CHURCH."

EDITOR

TEN VOLUMES

VOL. IV

THE MIDDLE AGES

BOSTON CHICAGO

THE ROBERTS-MANCHESTER PUBLISHING CO.
MILWAUKEE

080
T32
v.4
c.1

Grand de Luxe Edition

LIMITED TO 1000 COMPLETE SETS, OF WHICH THIS IS

NO._____

COPYRIGHT 1901
BY
ROBERTS-MANCHESTER PUBLISHING CO.

ALL RIGHTS RESERVED

THE DAWE PRESS

EDITOR'S ACKNOWLEDGMENT

ALTHOUGH THE EDITOR only is responsible for the matter included in this set of books, yet he has been greatly assisted by the suggestions he has received from specialists in their own fields. As the editing of the last volumes is not yet finished, it is impossible to give full credit for such advice, but the editor takes this opportunity to acknowledge the important counsel or additional suggestions received from:

A. H. SAYCE, LL. D., D. D.,
PROFESSOR OF ASSYRIOLOGY, QUEEN'S COLLEGE, OXFORD UNIVERSITY.

CRAWFORD H. TOY, A. M., LL. D.,
PROFESSOR OF ORIENTAL LANGUAGES, HARVARD UNIVERSITY.

WALTER MILLER, A. M.,
PROFESSOR OF CLASSICAL PHILOLOGY,
THE LELAND STANFORD JUNIOR UNIVERSITY.

HENRY RUSHTON FAIRCLOUGH, PH. D.,
PROFESSOR OF CLASSICAL LITERATURE,
THE LELAND STANFORD JUNIOR UNIVERSITY.

FRANK FROST ABBOTT, PH. D.,
PROFESSOR OF LATIN, UNIVERSITY OF CHICAGO.

JOHN CAREW ROLFE, PH. D.,
PROFESSOR OF LATIN, UNIVERSITY OF MICHIGAN.

DANA C. MONRO, A. M.,
DEPARTMENT OF HISTORY, UNIVERSITY OF PENNSYLVANIA.

EDWARD G. BOURNE, PH. D.,
PROFESSOR OF HISTORY, YALE UNIVERSITY.

FERDINAND SCHWILL, PH. D.,
DEPARTMENT OF MODERN HISTORY, UNIVERSITY OF CHICAGO.

HARRY BURNS HUTCHINS, LL. D.,
DEAN OF THE DEPARTMENT OF LAW, UNIVERSITY OF MICHIGAN.

WILLIAM H. WELCH, M. D., LL. D.,
DEAN OF THE MEDICAL FACULTY, JOHNS HOPKINS UNIVERSITY.

THEODORE WILLIAM RICHARDS, PH. D.,
DEPARTMENT OF CHEMISTRY, HARVARD UNIVERSITY.

PAUL REINSCH, PH. D.,
DEPARTMENT OF POLITICAL SCIENCE, UNIVERSITY OF WISCONSIN.

H. H. MANCHESTER, A. B.,
MANAGING EDITOR FOR THE ROBETRS-MANCHESTER PUBLISHING CO.

ILLUSTRATIONS

VOLUME IV.

PAGE

MADONNA LITTA (BY LEONARDO DI VINCI) 1452-1519 — Frontispiece

ST. ANTHONY AND ST. GEORGE (BY PISANO) 1280-1345 — 5

THE BLOOD OF THE REDEEMER (BY BELLINI) 1428-1516 — 240

THE VIRGIN, CHRIST AND ST. JOHN (BY BOTTICELLI) 1447-1510 — 318

WYCLIFFE (ENGRAVING) — 377

VIRGIN OF THE ROCKS (BY LEONARDO DI VINCI) — 383

THE PROPHET JOEL (BY MICHAEL ANGELO) 1475-1544 — 413

TOMB OF LORENZO DI MEDICI (BY MICHAEL ANGELO) 1475-1544 — 423

TABLE OF CONTENTS

VOLUME IV

THE GROWTH OF THE CHURCH 5

THE CHURCH AND THE PAGAN EMPIRE 6

Persecution under Nero, 64 A. D. 6
Attitude of Trajan and Hadrian, 112 A. D. 7
Persecution under Marcus Aurelius, 177 A. D. 9
Persecution under Valerian 13
Persecution of Diocletian and Galerius, 303 A. D. 14
Edict of Toleration by Galerius, 311 A. D. 17
Edict of Milan, 313 A. D. 19

TERTULLIAN (150?—220 TO 240) 21
On the Witness of the Soul 21

ORIGEN (186–258) 29
Principles of Faith 30

CYPRIAN (200–254) 35
The Unity of the Church 35

ASCETICISM 51
Origin of Asceticism 51
Simeon the Stylite 58

SUPPRESSION OF HERESY AND HEATHENISM 62
Letter of St. Ambrose to Valentinian 62
Enactments from the Codex Theodosianus 69

ST. ATHANASIUS (298–373) 71
Exposition of the Faith 71

ST. AUGUSTINE (354–430) 74
God's Foreknowledge and Man's Free Will 75
Original Sin 90
Redemption 97
Faith, Hope and Love 102

Typical Synods and Creeds 111
Synod of Elvira, 111
The Nicaeno-Constantinopolitan Creed 122
The Athanasian Creed 122

Monasticism 128
St. Benedict's Monastic Rule, about 500 A. D. 128

THE NEW PEOPLES 165

Tacitus on the Germans 165

The Salic Law (before 500 A. D) 177

The Anglo-Saxons (by Bede) 188
The Anglo-Saxon Conquest of Britain (449-456) 188
The Conversion of Kent, 596 A. D. 190
The Conversion of the East Angles, 627 A. D 194
The Last of the Irish Church in England, 652 A. D. 196

The Franks 202
Conversion of Chlodovech, 496 A. D. 202
The Donation of Pippin, 756 A. D. 203
Donation of Karl the Great, 774 A. D. 204
Coronation of Karl the Great, 800 A. D. 205
Palace School of Karl the Great, 206
Treaty of Verdun, 843 A. D. 208

Anglo-Saxon Laws 209
Laws of King Aethelbirht of Kent (560–616), of Kings Hlothhaere and Eadric (673–686), of King Wihtraed (690–725), of King Alfred (871–901), of King Edward (901–924), the Laws with Guthrum, of King Aethelstan (924—?) of King Edmund, of King Edgar 211

THE ERA OF THE ARABS 240

Mohammed 240

The Qur'an (Koran) 241

Arabian Thought 277

Moses Maimonides (1135–1204) 281
Method of Proving God's Existence 282
A Parallel between the Universe and Man 284
Propositions Admitted 293

FEUDALISM 299

The Feudal Society 300
Terms of Dependence 300
Private Jurisdictions 301
Ceremony of Homage and Fealty 303
Mutual Duties of Vassals and Lords 306
Authority of the Lord over Marriage 307
Military Service 307

Feudal Jurisdiction 308
Compurgation 308
Ordeals 309
Wagers of Battle 315

THE CHURCH EMPIRE 318

The Struggle between Church and State 320
The Programme of Pope Gregory VII. (1073–1085) 320
Declarations of the Church 321
The Struggle between Pope Gregory VII. and Emperor Henry IV. 323

The Crusades 335
William of Tyre's account of Peter the Hermit 337
Speech of Urban II., 1095 A. D. 338
The Truce of God 341
Privileges of the Crusaders 345
Account of the Start 348

Mediaeval Universities 350
Statutes of Gregory IX. for the University of Paris 350
The Course of Study 354
Life of Students at Paris 357

St. Thomas Aquinas 358
On the Existence of God 359
Theory of Knowledge 363

Roger Bacon 368
On Experimental Science 369

Wycliffe 377
Wycliffe and Gregory XI, 378

THE STATE 383
Saxons and Normans (By William of Malmesbury) 384
English City Institutions 390
City Customs, Typical Charters, a Typical Guild 390
Norman Judicial Customs 397
Assize of Clarendon 397
The Magna Carta, 1215 A. D. 401
The Popular Uprising under Ball and Tyler 413
Marsilius of Padua (?–1328) 423
The Beginning of the Modern Theory of the State 423

THE GROWTH OF THE CHURCH

At the beginning of this volume the writings of the New Testament should be given first place in importance, but as in the case of the Old Testament, so here it has not been thought either advisable or necessary to reprint any part of it. The fact must be emphasized, however, that no other book has been so much read or studied; its influence on the progress of the world has been incalculable.

We trace under this heading the growth of the Church in its relations to the pagan empire; illustrate the formative work of the early fathers with Tertullian's Testimony of the Soul to immortality, Cyprian's plea for the Unity of Church, and Origen's effort to state the principles of his belief; we show the development of asceticism; the formulation of the Church policy after Christianity had been recognized, first as one of the legal religions and then as the only one; the suppression of heathenism and heresy; the formation and development of Church dogma under Athanasius and St. Augustine; the beginning of the Church empire under Leo, and the rules of life of the Benedictine monks. This brings us to the time when the Church became in reality an empire with its head at Rome to which the people of Europe gave an allegiance and obedience as real as to their kings.

THE CHURCH AND THE PAGAN EMPIRE

THE CHRISTIANS first came under the official ban of the Emperor in 64 A. D., when Nero accused them of the burning of Rome. Tacitus's account of this is given under the Development of the Roman Constitution and Law in the third volume, the most important paragraph of the account is repeated below. From Nero's time until 311 A. D., the policy of the Empire was steadily against Christianity, and made itself manifest by persecutions whenever the new sect raised its head too prominently. The reason was, because, while Rome was ready to receive into equal favor all religions that would be so received, and that would not interfere with the worship of the Emperor, Christianity would not admit the divinity of any religion save itself, and no Christian would deify the Emperor.

PERSECUTION UNDER NERO

64 A. D.

ACCOUNT BY TACITUS

Therefore to check this rumor, those, who were called Christians by the mob and hated for their moral enormities, were substituted in his place as culprits by Nero and afflicted with the most exquisite punishments. Christ, from whom the name was given, was put to death during the reign of Tiberius, by the procurator Pontius Pilate. Although checked for the time, this pernicious superstition broke out again not only in Judea, where the evil originated, but throughout the City, in which the atrocities and shame from all parts of the world center and flourish. Therefore those who confessed were first seized, then on their information a great multitude were convicted, not so much of the crime of incendiarism, as of hatred of the human race. The victims who perished also suffered insults, for some were covered with the skins of wild beasts and torn to pieces by dogs, while others were fixed to crosses and burnt to light the night when daylight had failed. Nero had offered his gardens for the spectacle and

was giving a circus show, mingling with the people in the dress of a driver, or speeding about in a chariot. Although they were criminals who deserved the most severe punishment, yet a feeling of pity arose since they were put to death not for the public good but to satisfy the rage of an individual.—Annales XV, 44.

Account by Suetonius

In his reign many things were severely censured and suppressed and many also instituted: a limit was set to lavish expenditure; public dinners were reduced to doles; cook shops were forbidden to sell any prepared food except pulse or herbs, whereas formerly all kinds of relishes had been offered; Christians, a class of men of a new and vicious superstitition, were subjected to severe punishments; the quadriga races were forbidden, because the charioteers wandered about, and by long license, assumed the right to make a jest of cheating and stealing; the partisans of the pantomimes were banished altogether with the actors themselves; to prevent forgery, means were devised by which no document was to be sealed until it had been perforated and a thread run through three times.—Vita Neronis XVI.

ATTITUDE OF TRAJAN AND HADRIAN

ABOUT 112 A. D.

Pliny's Letter to the Emperor Trajan

It is my custom, my lord, to refer to you all things concerning which I am in doubt. For who can better guide my indecision or enlighten my ignorance?

I have never taken part in the trials of Christians: hence I do not know for what crime or to what extent it is customary to punish or investigate. I have been in no little doubt as to whether any discrimination is made for age, or whether the treatment of the weakest does not differ from that of the stronger; whether pardon is granted in case of repentance, or whether he who has ever been a Christian gains nothing by having ceased to be one; whether the name itself without the proof of crimes, or the crimes, inseparably connected with the name, are punished. Meanwhile I have followed this procedure in the case of those who have been brought before me as Christians. I asked them whether they were Christians a second and a third time and with threats of punishment, I questioned those who

confessed, I ordered those who were obstinate to be executed. For I did not doubt that, whatever it was that they confessed, their stubbornness and inflexible obstinacy ought certainly to be punished. There were others of similar madness, who because they were Roman citizens, I have noted for sending to the City. Soon, the crime spreading, as is usual when attention is called to it, more cases arose. An anonymous accusation, containing many names, was presented. Those who denied that they were or had been Christians, ought, I thought, to be dismissed since they repeated after me a prayer to the gods and made supplication with incense and wine to your image, which I had ordered to be brought for the purpose together with the statues of the gods, and since besides they cursed Christ, not one of which things they say, those who are really Christians can be compelled to do. Others, accused by the informer, said that they were Christians and afterwards denied it; in fact, they had been but had ceased to be, some many years ago, some even twenty years before. All both worshipped your image and the statues of the gods, and cursed Christ. They continued to maintain that this was the amount of their fault or error that, on a fixed day, they were accustomed to come together before daylight and to sing by turns a hymn to Christ as a god, and that they bound themselves by oath, not for some crime but that they would not commit robbery, theft, or adultery, that they would not betray a trust or deny a deposit when called upon. After this it was their custom to disperse and to come together again to partake of food, of an ordinary and harmless kind, however; even this they ceased to do after the publication of my edict in which according to your command I had forbidden associations. Hence I believed it the more necessary to examine two female slaves, who were called deaconesses, in order to find out what was true, and to do it by torture. I found nothing but a vicious, extravagant superstition. Consequently I postponed the examination and make haste to consult you. For it seemed to me that the subject would justify consultation, especially on account of the number of those in peril. For many of all ages, of every rank, and even of both sexes are and will be called into danger. The infection of this superstition has not only spread to the cities but even to the villages and country districts. It seems possible to stay it and bring about a reform. It is plain enough that the temples, which had been almost deserted, have begun to be frequented again, that the sacred rites, which had been neglected for a long time, have begun to be restored, and that fodder

for victims, for which till now there was scarcely a purchaser, is sold. From which one may readily judge what a number of men can be reclaimed if repentance is permitted.—Epistles, X. 96.

Trajan's Reply

You have followed the correct procedure, my Secundus, in conducting the cases of those who were accused before you as Christians for no general rule can be laid down as a set form. They ought not to be sought out; if they are brought before you and convicted they ought to be punished; provided that he who denies that he is a Christian, and proves this by making supplication to our gods, however much he may have been under suspicion in the past, shall secure pardon on repentance. In the case of no crime should attention be paid to anonymous charges, for they afford a bad precedent and are not worthy of our age.—Epistles, X. 97.

Rescript of Hadrian to Minucius Fundanus

I have received the letter written to me by your predecessor, Serenus Granianus, a most excellent man: and it does not seem well to pass over this report in silence, lest both the innocent be confounded and an occasion for robbery be given to false accusers. Accordingly, if the inhabitants are able to sustain their accusations openly against Christians, so as to charge them with something before the tribunal, I do not forbid them to do this. But I do not permit mere tumultuous cries and acclamations to be used, for it is much more equitable that if anyone wishes to make accusation, you should know the charges. If, therefore, anyone charges and proves that the men designated have done anything contrary to the laws, you are to fix penalties in proportion to their transgressions. By Hercules, you will take especial care, that if, for the sake of calumny, anyone shall prosecute one of them, that you inflict on the accuser a more severe punishment for his villainy.—Justin Martyr, I.

PERSECUTION UNDER MARCUS AURELIUS

177 A. D.

The Persecution at Lyons and Vienna

LETTER FROM AN EYE-WITNESS

"The servants of Christ, living at Vienna and Lyons in Gaul, to

the brethren throughout Asia and Phrygia who have the same faith and hope of redemption that we have, peace, grace and glory from God the Father and Christ Jesus our Lord."

Then after some other preliminary remarks they begin their account in the following words: "The magnitude of the tribulation here, the great fury of the heathen against the saints, and how much the blessed martyrs endured, we cannot fully recount, nor indeed is it possible to express these in writing. For with all his might the adversary broke loose upon us, showing even now how unrestrained his future coming would be. He tried every means of training and exercising his followers against the servants of God, so that not only were we excluded from houses, baths and markets, but also forbidden, every one of us, to appear in any place whatsoever.

"But the grace of God fought against the adversary, rescued the weak, and arrayed firm pillars, able through patience to withstand every attack of the Evil One. They engaged in conflict with him, suffering every kind of shame and injury, and, counting their great trials as small, they hastened to Christ, showing that 'the sufferings of this present time are not worthy to be compared with the glory which shall be revealed to us afterward.'

"First, indeed, they endured nobly the sufferings heaped upon them by the general populace, clamors, blows, being dragged along, robberies, stonings, imprisonments, and all that an enraged mob loves to inflict on opponents and enemies. Then they were taken to the forum by the chiliarch and the ordained authorities of the city and were examined in the presence of the whole multitude. Having confessed, they were imprisoned until the arrival of the governor. When they were afterwards brought before him and he treated us with all manner of cruelty, Vettius Epagathus, one of the brethren, filled with love for God and his neighbor, interfered. His daily life was so consistent that, although young, he had a reputation like the elder Zacharias, for he 'walked in all the commandments and ordinances of the Lord blameless' and was untiring in every good office for his neighbor, filled with zeal for God and fervent in spirit. Such a man could not endure the uprighteous judgment against us, but was filled with indignation and demanded that he should be permitted to testify in behalf of the brethren that there was no atheism or impiety in us. Those about the tribunal cried out against him, and with reason, for he was a man of mark, and the governor denied his just request, but asked only this one question, if he also was a Christian; and on his

confessing this most distinctly, placed him also in the number of the martyrs. He was called the advocate of the Christians, but he had the Advocate in himself, the Spirit more fully than Zacharias. This he manifested by the fulness of his love, counting himself happy to lay down his life in defence of the brethren. For he was and is a true disciple of Christ, 'following the Lamb whithersoever he goeth.'

"After that the others were divided and the proto-martyrs were known and held in readiness. They with all eagerness finished the confession of martyrdom. But some appeared unprepared and untrained and still weak, unable to endure the strain of a great contest. Of these about ten became apostates, who caused us great pain and excessive sorrow, and weakened the zeal of the others who had not yet been seized, and who, although suffering all kinds of evil, were constantly with the martyrs and did not abandon them. Then indeed all were in great fear on account of the uncertainty of the confession, not fearing the sufferings to be endured, but looking to the end and fearing lest some one should apostatize. Yet those who were worthy were seized each day, filling up their number, so that all the zealous and those through whom especially our affairs had been managed were gathered together from the two churches. And some of our servants who were heathens were seized because the governor had ordered that we should all be examined in public.

"These by the wiles of Satan, fearing the tortures which they saw the saints suffering and urged by the soldiers to do this, accused us falsely of Thyestean banquets and Oedipodean incests and of deeds which it is not lawful for us to speak of, or think of, and which we do not believe men ever committed. When these accusations were reported all raged like wild beasts against us, so that those even who had previously restrained themselves on account of kinship, then became exceedingly enraged and gnashed their teeth against us. And the saying of our Lord was fulfilled that 'the time will come when whosoever killeth you will think that he doeth God's service.' Then finally the holy martyrs endured sufferings beyond all description and Satan strove earnestly that some blasphemies might be uttered by them also.

"But the whole rage of the people, governor and soldiers was aroused exceedingly against Sanctus, deacon from Vienna, and against Marturus, a recent convert but a noble combatant, and also against Attalus, a native of Pergamus, who had always been a pillar and a foundation in that place, and against Blandina through whom Christ showed that what appears mean, deformed and contemptible to men

is of great glory with God through love for Him, shown in power and not boasting in appearance. For while we all, together with her mistress on earth, who was herself also one of the combatants among the martyrs, feared lest in the strife she should be unable to make her confession on account of her bodily weakness, Blandina was filled with such power that she was delivered and raised above those who took turns in torturing her in every manner from dawn till evening; and they confessed that they were defeated and nothing more which they could do to her. They marvelled at her endurance, for her whole body was mangled and broken; and they testified that one form of torture was sufficient to destroy life, to say nothing of so many and so great tortures. But the blessed one, like a noble athlete, renewed her strength in the confession; and her comfort, refreshment and relief from suffering was in saying, 'I am a Christian' and 'Nothing vile is done by us."

"Sanctus also himself, marvellously and beyond all men, endured nobly all human outrages, while the wicked hoped by the duration and severity of the tortures to wring from him something which he ought not to utter, he withstood them with such firmness, that he did not even tell his own name or the nation or the city whence he came, or whether he was a bondman or free, but to all questions he replied in the Roman tongue, 'I am a Christian.' This he confessed instead of name and city and race and everything else, and the people did not hear him utter another word. Then the governor and those who were torturing him became exceedingly obstinate against him, so that when they had nothing else that they could do to him, they at last applied red-hot brass plates to the most tender parts of his body. These indeed were burned, but he remained unsubdued and unshaken, firm in his confession, refreshed and strengthened by the celestial spring of the water of life flowing from the bowels of Christ. But his body was a witness of his sufferings, all one wound and scar, shriveled up and without human appearance externally. Christ, suffering in him, showed great wonders, defeating the adversary and exhibiting an example to the others, that there is nothing fearful where the love of the Father exists, nothing painful where the glory of Christ is. For when the lawless men tortured the martyr again after some days, and thought that as his body was swollen and inflamed, if they applied the same tortures, they would overcome him, since he could not bear the touch of a hand; or that, if he died under the tortures, it would strike the others with terror, note only no such thing happened to him,

but even contrary to all human expectations, his body arose and stood up straight during the remaining tortures and took on its former appearance and recovered the use of the limbs, so that through the grace of Christ the second torture was not suffering but healing.

"But the devil, thinking he had already consumed a certain Biblias, one of those who had recanted, wishing also to condemn her on account of blasphemy, led her to the torture to compel her, as she was already feeble and weak, to utter impious things concerning us. But she recovered herself in her suffering, and, as if aroused from a deep sleep and reminded by the present anguish of the eternal torture in hell, she contradicted the blasphemers, saying: 'How could they eat children to whom it is not even lawful to taste the blood of irrational animals?' And after that she confessed herself a Christian and was placed in the order of the martyrs.

"But as the tyrannical tortures were deprived of effect by Christ, through the patience of the blessed, the devil invented other contrivances, confinement in the dark and in the most loathsome place in the prison, stretching the feet in stocks extended to the fifth hole, and other torments such as attendants when enraged and filled with the devil are accustomed to inflict upon prisoners, so that very many were suffocated in prison who the Lord willed should depart thus, manifesting His glory. For some who had been tortured cruelly, so that it seemed impossible that they should live, even when every means was applied to heal them, remained in the prison, destitute of care from men, strengthened by the Lord and invigorated in body and soul, exhorting and encouraging the others. But the young and those recently arrested, whose bodies were not inured to torture, could not endure the severity of the imprisonment, but died in prison."—Eusebius, Bk. V., in University of Pennsylvania Translations and Reprints.

PERSECUTION UNDER VALERIAN

Cyprian's Letter

The reason why I did not write to you immediately, dearest brother, was that the whole body of the clergy were detained by the stress of the conflict, and could not depart thence at all, being prepared by the devotion of their spirits for everlasting and heavenly glory. Be it known to you that those have returned whom I had sent to the City to discover and report to us as to the nature of the truth of the rescript concerning us. For many, various and uncertain were the rumors cir-

culated. But the truth of the matter is this: Valerian had sent a rescript to the senate, that bishops, presbyters and deacons should be punished immediately, but that senators, nobles, and Roman knights should be degraded from their dignity, and furthermore despoiled of their goods, and if, after they had been deprived of their property, they should persist in being Christians, they too should be beheaded. Matrons should be deprived of their goods and sent into exile. Those of Caesar's household, whoever had confessed formerly or should confess now, should have their property confiscated, and should be sent in chains by assignment to Caesar's estates. To his discourse, moreover, the emperor Valerian added a copy of the letter which he sent to the governors of the provinces concerning us. This letter we hope daily will arrive, prepared according to the strength of the faith, ready to endure martyrdom, and expecting by the might and grace of God the crown of eternal life. Be it known to you, moreover, that Xistus was executed in the cemetery on the eighth before the Ides of August, and together with him four deacons. Indeed, the prefects in the city insist daily on this persecution. If any are brought before them, they are punished and their goods confiscated to the treasury.

I beg that this may be made known through you to the rest of our associates, so that everywhere by their encouragement the brotherhood many be strengthened and prepared for the spiritual conflict, that each of us may not think more of death than of immortality, and that, consecrated to the Lord, in full faith and all virtue, they may rejoice rather than fear in this confession in which they know that, as soldiers of God and Christ, they will not be destroyed but be crowned. I hope that you, dearest brother, will be ever strong in the Lord.—University of Pennsylvania Translations and Reprints.

PERSECUTION OF DIOCLETIAN AND GALERIUS

303 A. D.

A fit and auspicious day was sought out for the accomplishment of this undertaking; and the festival of the god Terminus, celebrated on the seventh of the kalends of March, was chosen, in preference to all others, to terminate, as it were, the Christian religion.

"That day, the harbinger of death, arose,
First cause of all, and long enduring woes;"

of woes which befell not only the Christians, but the whole earth. When that day dawned, in the eighth consulship of Diocletian and seventh of Maximian, suddenly, while it was yet hardly light, the prefect, together with chief commanders, tribunes, and officers of the treasury, came to the church in Nicodemia, and the gates having been forced open, they searched everywhere for an image of the Divinity. The books of the Holy Scriptures were found, and they were committed to the flames; the utensils and furniture of the church were abandoned to pillage: all was rapine, confusion, tumult. That church, situated on rising ground, was within view of the palace; and Diocletian and Galerius stood, as if on a watch-tower, disputing long whether it ought to be set on fire. The sentiment of Diocletian prevailed, who dreaded lest, so great a fire being once kindled, some part of the city might be burned; for there were many and large buildings that surrounded the church. Then the Pretorian Guards came in battle array, with axes and other iron instruments, and having been let loose everywhere, they in a few hours levelled that very lofty edifice with the ground.

Next day an edict was published, depriving the Christians of all honours and dignities; ordaining also that, without any distinction of rank or degree, they should be subjected to tortures, and that every suit at law should be received against them; while, on the other hand, they were debarred from being plaintiffs in questions of wrong, adultery, or theft; and, finally, that they should neither be capable of freedom, nor have right of suffrage. A certain person tore down this edict, and cut it in pieces, improperly indeed, but with high spirit, saying in scorn, " These are the triumphs of Goths and Sarmatians." Having been instantly seized and brought to judgment, he was not only tortured, but burnt alive, in the forms of law; and having displayed admirable patience under sufferings, he was consumed to ashes.

CHAP. XIV.

But Galerius, not satisfied with the tenor of the edict, sought in another way to gain on the emperor. That he might urge him to excess of cruelty in persecution, he employed private emissaries to set the palace on fire; and some part of it having been burnt, the blame was laid on the Christians as public enemies; and the very appellation of *Christian* grew odious on account of that fire. It was said that the Christians, in concert with the eunuchs, had plotted to destroy the princes; and that both of the princes had well-nigh been burnt

alive in their own palace. Diocletian, shrewd and intelligent, as he always chose to appear, suspected nothing of the contrivance, but, inflamed with anger, immediately commanded that all his own domestics should be tortured to force a confession of the plot. He sat on his tribunal, and saw innocent men tormented by fire to make discovery. All magistrates, and all who had superintendency in the imperial palace, obtained special commissions to administer the torture; and they strove with each other *who* should be first in bringing to light the conspiracy. No circumstances, however, of the fact were detected anywhere; for no one applied the torture to any domestics of Galerius. He himself was ever with Diocletian, constantly urging him, and never allowing the passions of the inconsiderate old man to cool. Then, after an interval of fifteen days, he attempted a second fire; but that was perceived quickly, and extinguished. Still, however, its author remained unknown. On that very day, Galerius, who in the middle of winter had prepared for his departure, suddenly hurried out of the city, protesting that he fled to escape being burnt alive.

CHAP. XV.

And now Diocletian raged, not only against his own domestics, but indiscriminately against all; and he began by forcing his daughter Valeria and his wife Prisca to be polluted by sacrificing. Eunuchs, once the most powerful, and who had chief authority at court and with the emperor, were slain. Presbyters and other officers of the Church were seized, without evidence by witnesses or confession, condemned, and together with their families led to execution. In burning alive, no distinction of sex or age was regarded; and because of their great multitude, they were not burnt one after another, but a herd of them were encircled with the same fire; and servants, having millstones tied about their necks, were cast into the sea. Nor was the persecution less grievous on the rest of the people of God; for the judges, dispersed through all the temples, sought to compel every one to sacrifice. The prisons were crowded; tortures, hitherto unheard of, were invented; and lest justice should be inadvertently administered to a Christian, altars were placed in the courts of justice, hard by the tribunal, that every litigant might offer incense before his cause could be heard. Thus judges were no otherwise approached than divinities. Mandates had also gone to Maximian Herculius and Constantius, requiring their concurrence in the execution of edicts; for in matters even of such mighty importance their opinion was never once asked. Herculius, a

person of no merciful temper, yielded ready obedience, and enforced the edicts throughout his dominions of Italy. Constantius, on the other hand, lest he should have seemed to dissent from the injunctions of his superiors, permitted the demolition of churches,—mere walls, and capable of being built up again,—but he preserved entire that true temple of God, which is the human body.—Lactantius, How the Persecutors Died, XII.-XV.

EDICT OF TOLERATION BY GALERIUS

311 A. D.

And now, when Galerius was in the eighteenth year of his reign, God struck him with an incurable plague. A malignant ulcer formed itself low down on his trunk, and spread itself by degrees. The physicians attempted to eradicate it, and healed up the place affected. But the sore, having been skinned over, broke out again; a vein burst, and the blood flowed in such quantity as to endanger his life. The blood, however, was stopped, although with difficulty. The physicians had to undertake their operations anew, and at length they cicatrized the wound. In consequence of some slight motion of his body, Galerius received a hurt, and the blood streamed more abundantly than before. He grew emaciated, pallid, and feeble, and the bleeding then stanched. The ulcer began to be insensible to the remedies applied, and a gangrene seized all the neighboring parts. It diffused itself the wider the more the corrupted flesh was cut away, and everything employed as the means of cure served but to aggravate the disease.

"The masters of the healing art withdrew."

Then famous physicians were brought in from all quarters; but no human means had any success. Apollo and Æsculapius were besought importunately for remedies. Apollo did prescribe, and the distemper augmented. Already approaching to its deadly crisis, it had occupied the lower reigions of his body: his bowels came out, and the whole place putrefied. The luckless physicians, although without hope of overcoming the malady, ceased not to apply fomentations and administer medicines. The humours having been repelled, the distemper attacked his intestines, and worms were generated in his body. The stench was so foul as to pervade not only the palace, but even the

whole city; and no wonder, for by that time the passages from his bladder and bowels, having been devoured by the worms, became indiscriminate, and his body, with intolerable anguish, was dissolved into one mass of corruption.

"Stung to the soul, he bellowed with the pain,
So roars the wounded bull."—PITT.

They applied warm flesh of animals to the chief seat of the disease, that the warmth might draw out those minute worms; and accordingly, when the dressings were removed, there issued forth an innumerable swarm: nevertheless the prolific disease had hatched swarms much more abundant to prey upon and consume his intestines. Already, through a complication of distempers, the different parts of his body had lost their natural form: the superior part was dry, meagre, and haggard, and his ghastly-looking skin had settled itself deep amongst his bones; while the inferior, distended like bladders, retained no appearance of joints. These things happened in the course of a complete year; and at length, overcome by calamities, he was obliged to acknowledge God, and he cried aloud, in the intervals of raging pain, that he would re-edify the Church which he had demolished, and make atonement for his misdeeds; and when he was near his end, he published an edict of the tenor following:—

CHAP. XXXIV.

"Amongst our other regulations for the permanent advantage of the commonweal, we have hitherto studied to reduce all things to a conformity with the ancient laws and public discipline of the Romans.

"It has been our aim in an especial manner, that the Christians also, who had abandoned the religion of their forefathers, should return to right opinions. For such wilfulness and folly had, we know not how, taken possession of them, that instead of observing those ancient institutions, which possibly their own forefathers had established, they, through caprice, made laws to themselves, and drew together into different societies many men of widely different persuasions.

"After the publication of our edict, ordaining the Christians to betake themselves to the observance of the ancient institutions, many of them were subdued through the fear of danger, and moreover many of them were exposed to jeopardy: nevertheless, because great numbers still persist in their opinions, and because we have perceived that at present they neither pay reverence and due adoration to the gods, nor

yet worship their own God, therefore we, from our wonted clemency in bestowing pardon on all, have judged it fit to extend our indulgence to those men, and to permit them again to be Christians, and to establish the places of their religious assemblies; yet so as that they offend not against good order.

"By another mandate we purpose to signify unto magistrates how they ought herein to demean themselves.

"Wherefore it will be the duty of the Christians, in consequence of this our toleration, to pray to their God for our welfare, and for that of the public, and for their own; that the commonweal may continue safe in every quarter, and that they themselves may live securely in their habitations.—Death of the Persecutors, XXXIII, XXXIV.

EDICT OF MILAN

313 A. D.

Not many days after the victory, Licinius, having received part of the soldiers of Daia into his service, and properly distributed them, transported his army into Bithynia, and having made his entry into Nicomedia, he returned thanks to God, through whose aid he had overcome; and on the ides of June, while he and Constantine were consuls for the third time, he commanded the following edict for the restoration of the Church, directed to the president of the province, to be promulgated:—

"When we, Constantine and Licinius, emperors, had an interview at Milan, and conferred together with respect to the good and security of the commonweal, it seemed to us that, amongst those things that are profitable to mankind in general, the reverence paid to the Divinity merited our first and chief attention, and that it was proper that the Christians and all others should have liberty to follow that mode of religion which to each of them appeared best; so that that God, who is seated in heaven, might be benign and propitious to us, and to every one under our government. And therefore we judged it a salutary measure, and one highly consonant to right reason, that no man should be denied leave of attaching himself to the rites of the Christians, or to whatever other religion his mind directed him, that thus the supreme Divinity, to whose worship we freely devote ourselves, might continue to vouchsafe His favour and beneficence to us. And accordingly we give you to know that, without regard to any provisos in our former

orders to you concerning the Christians, all who choose that religion are to be permitted, freely and absolutely, to remain in it, and not to be disturbed any ways, or molested. And we thought fit to be thus special in the things committed to your charge, that you might understand that the indulgence which we have granted in matters of religion to the Christians is ample and unconditional; and perceive at the same time that the open and free exercise of their respective religions is granted to all others, as well as to the Christians. For it befits the well-ordered state and the tranquillity of our times that each individual be allowed, according to his own choice, to worship the Divinity; and we mean not to derogate aught from the honour due to any religion or its votaries. Moreover, with respect to the Christians, we formerly gave certain orders concerning the places appropriated for their religious assemblies; but now we will that all persons who have purchased such places, either from our exchequer or from any one else, do restore them to the Christians, without money demanded or price claimed, and that this be performed peremptorily and unambiguously; and we will also, that they who have obtained any right to such places by form of gift do forthwith restore them to the Christians; reserving always to such persons, who have either purchased for a price, or gratuitously acquired them, to make application to the judge of the district, if they look on themselves as entitled to any equivalent from our beneficence.

"All those places are, by your intervention, to be immediately restored to the Christians. And because it appears that, besides the places appropriated to religious worship, the Christians did possess other places, which belonged not to individuals, but to their society in general, that is, to their churches, we comprehend all such within the regulation aforesaid, and we will that you cause them all to be restored to the society or churches, and *that* without hesitation or controversy: Provided always, that the person making restitution without a price paid shall be at liberty to seek indemnification from our bounty. In furthering all which things for the behoof of the Christians, you are to use your utmost diligence, to the end that our orders be speedily obeyed, and our gracious purpose in securing the public tranquillity promoted. So shall that divine favour which, in affairs of the mightiest importance, we have already experienced, continue to give success to us, and in our successes make the commonweal happy. And that the tenor of this our gracious ordinance may be made known unto all, we will that you cause it by your authority to be published everywhere."

Licinius having issued this ordinance, made an harangue, in which he exhorted the Christians to rebuild their religious edifices.

And thus, from the overthrow of the Church until its restoration, there was a space of ten years and about four months.—Lactantius, Death of the Persecutors, XLVIII.

TERTULLIAN

Quintus Septimus Florens Tertullianus was born at Carthage about 150 A. D. In his youth he was well educated in both Greek and Latin, and rose to be an eminent jurist before his conversion to Christianity, which took place in middle life. Late in life, when the Church began to adopt itself to enter upon its career as a world power, he broke away from the orthodox organization and became the most influential representative of the Montanists, who believed that Christianity should continue to be a purely religious sect that held itself entirely apart from Roman society.

Most of the first Church fathers wrote concerning the soul, but one of the most remarkable passages of early Christian literature is the Testimony of the Soul by Tertullian that follows.

OF THE WITNESS OF THE SOUL

I. It is a work, which needeth to be laboured at with much nicety of research, and far more of memory, if one would cull the testimonies to Christian Truth out of all the most received writings of philosophers, or poets, or any teachers whatever of the learning and wisdom of this world, so that its rivals and persecutors may, by their own peculiar documents, be proved guilty both of error in themselves, and of injustice towards us. Some indeed, in whom, as respecteth ancient writings, both the diligence of curious research and the retentiveness of their memory hath held out to the last, have composed books to the heathen, which are in our hands, declaring and attesting, to their disgrace, both the origin, and handing-down, and proofs, of our opinions, whereby it may be seen that we have taken up nothing

new or strange, in which even the common and popular books do not give us the countenance of their support, wheresoever we have cast out what is wrong, or admitted what is right. But that hardness, arising in unbelief, which belongeth to man, hath inclined them not to trust even their own teachers, (on other points most approved and choice authorities,) if they anywhere fall upon arguments tending to the vindication of the Christian Faith. Then are the poets foolish, when they make the gods the subjects of human sufferings and fables: then are the philosophers hard to be believed, when they knock at the door of truth. So long only shall a man be esteemed wise and prudent, who teacheth that which is *almost Christian,* where, if he affect prudence or wisdom, either in rejecting heathen ceremonies or convicting the world, he is branded as a Christian. Now therefore, we will have nothing to do with books and with doctrine, whose success is on the wrong side, which is more believed in falsehood than in truth. No matter whether any have taught One God and One only. Yea let them be thought to have declared nothing which a Christian can allow of, lest he be able to upbraid them with it. For even that which is declared, all do not know, and they who do know it, are not assured that it is true. So far are men from assenting to our writings, to which no one cometh, unless he be already a Christian! I call a new witness: yea one more known than all writings, more a-stir than all doctrine, more public than all publications, greater than the whole of man, in other words that which is the whole of man. Soul, stand thou forth in the midst, whether thou art a thing divine and eternal according to most philosophers, and therefore the less able to speak falsely, or, as seemeth to Epicurus only, in no wise divine, because mortal, and therefore the less art thou to be expected to speak falsely; whether thou art received from Heaven, or conceived of the earth, or fitly framed together of parts or of atoms; whether thou hadst thy beginning with the body, or art sent into the body after that it is formed; from whatever source, and in whatever manner, thou makest man a reasonable creature more capable than any of understanding and of knowledge. But I summon thee not such as when, formed in the Schools, exercised in libraries, nourished in the academies and porches of Athens, thou utterest thy crude wisdom. I address thee as simple, and rude, and unpolished, and unlearned, such as they have thee who have nothing else but thee, the very and entire thing that thou art in the road, in the highway, in the shop of the artisan. I have need of thy inexperience; since in thy experience, however small, no one put-

teth faith. I demand of thee those truths which thou carriest with thyself into man, which thou hast learned to know either from thyself, or from the author, whoever he be, of thy being. Thou art not, as I know, a Christian soul, for thou art wont to be made Christian, not to be born so. Yet now the Christians demand a testimony from thee, who art a stranger, against thine own friends, that they may blush even before thee, for hating and scoffing at us on account of those very things, which now charge thee as a party to them.

II. We give offence, in preaching God as the One God, under the one Name of God, *from Whom are all things,* and under Whom is the whole body of things. Bear witness to this, if thou knowest it to be so, since we hear thee also saying openly and with full liberty, not allowed to us, at home and abroad, "Which God grant," and, "If God will;" by which word thou both declarest that there is some God, and confesseth that all power is His, to Whose will thou lookest; and at the same time thou deniest that the rest are gods, in that thou callest them by their proper names, Saturn, Jupiter, Mars, Minerva. Thou affirmest that He Alone is God, Whom Alone thou namest God, so that even when thou dost sometimes call these gods, thou seemest to use the name as a foreign and, as it were, a borrowed one. Neither art thou in ignorance concerning the nature of God, which we preach. "God is good," "God doeth good," is thine own word. Clearly thou impliest besides, "But man is evil," uttering, that is, indirectly and covertly in the contrary proposition, the reproach, that man is therefore evil, because he hath departed from the good God. Again, whereas with us every blessing pronounced in the name of the God of goodness and kindness is a thing of the highest sacredness in our discipline and conversation, thou sayest as readily as any Christian need, "God bless thee." But when thou turnest the blessing of God into a curse, thou dost in like way by the very word confess, according to our doctrine, that His power is altogether over us. There are some who, though they deny not God, do not at all regard Him as One that considereth, and witnesseth, and judgeth, (wherein indeed chiefly they set us aside, who flee to that doctrine through fear of the judgment which is preached,) thus honouring God, while they make Him free from the cares of watching and the trouble of regarding them, not even attributing anger to Him. 'For,' say they, 'if God be angry, He is corruptible and subject to passions. Moreover, that which is passive and corruptible admitteth also of being destroyed, of which God admitteth not.' But the same persons confessing elsewhere that the soul is

divine, and bestowed by God, fall upon a testimony of the soul itself to be retorted against the above opinion; for if the soul be either divine or given by God, doubtless it knoweth Him, Who gave it, and if it knoweth, assuredly it also feareth Him; Him moreover Who hath so largely endowed it. Doth it not fear Him, Whom it would rather have favourable to it, than wrathful against it? Whence then cometh this natural fear of the soul towards God, if God hath no mind to be angry? How can He be feared Who cannot be offended? What is feared except anger? How shall one be angry except he mark what is done amiss? Why should he mark except to judge? how shall he judge, except he have power? to whom belongeth the chief power, except to God alone? Hence cometh it then, O soul, that, from the knowledge that is within thee, thou declarest, at home and abroad, no man scoffing at, nor forbidding thee, 'God seeth all things,' and 'I commend to God,' and 'God shall repay,' and 'God shall judge between us.' Whence hast thou this, not being a Christian, and, moreover, ofttimes crowned with the fillet of Ceres, and clothed in the scarlet cloak of Saturn, or the linen one of Isis? Finally, in the very temples themselves thou callest upon God as thy Judge, standing under Æsculapius, praying to the brazen statue of Juno, capping Minerva with her helmet of dark figures, and thou callest to witness not one of the gods who are present with thee: in thine own forum thou appealest to a judge in another place; in thine own temples thou allowest a foreign God. O testimony of Truth, which amongst the very demons maketh thee a witness for the Christians!

III. But when we affirm that there are demons—as if forsooth we did not prove it also, seeing that we alone cast them out of the bodies of them—some supporter of Chrysippus mocketh us. Thine own execrations make answer both that there are demons, and that they are objects of malediction. Thou callest a man a demon, who vexeth thee either by his uncleanness, or his wickedness, or his pride, or by some ill mark or other which we assign to demons, or for the cravings of thy hatred. Finally, thou namest the name of Satan in every expression of dislike, and scorn, and detestation, whom we call the angel of wickedness, the contriver of all error, the corrupter of the whole world, through whom man, being from the beginning beguiled, so that he transgressed the commandment of God, and on that account being given over unto death, hath henceforth made his whole race, that is infected of his seed, the transmitters of his condemnation also. Thou perceivest therefore thine own destroyer, and although the Christians alone, or

whatever sect there be on the Lord's side, know him, yet even thou acknowledgest him in hating him.

IV. But now as touching an opinion which more essentially belongeth to thee, inasmuch as it regardeth thine own proper condition, we affirm that thou continuest after the consummation of life, and that thou waitest for a day of judgment, and that thou art doomed according to thy deservings either to be tormented or to be comforted, in either case eternally. For the receiving of which things we say that thy former substance must of necessity return unto thee, and the material part, and the memory of the self-same human being, both because thou canst feel nothing either evil or good without the faculties of the sensible flesh, and because there is no mode of judgment without the presentation of the actual person, who hath deserved to suffer judgment. This Christian opinion, though much more noble than that of Pythagoras, in that it doth not transfer thee to beasts, although more enlarged than that of Plato, in that it restoreth to thee the possession of the body also, although of greater dignity than that of Epicurus, in that it preserveth thee from death, yet, because of its name, it is set down to mere vanity, and stupidity, and, as it is expressed, presumption. But we are not ashamed if our presumption agreeth with thee. For first when thou makest mention of any one that is dead, thou callest him 'poor man,' not assuredly because he is taken away from the blessing of life, but because he is now appointed unto punishment and judgment. But elsewhere thou callest the dead free from care. Thou declarest the misery of life, and the benefit of death. Moreover thou callest them free from care whensoever thou retirest without the gate to the tombs with thy meats and feasts, making an effort rather to thyself than to them, or returnest somewhat drunken from the tombs. But I ask for thy sober opinion. Thou callest the dead, 'poor men,' when thou speakest from thine own mind, when thou art far distant from them; for in their feast, when they are as it were present and sitting down with thee, thou canst not reproach them with their lot, thou art bound to flatter those on whose account thou farest so sumptuously. Dost thou then call him 'poor man,' who feeleth nothing? what when thou cursest him as a sentient being, whom thou rememberest with some sting of ill-will? thou prayest that the "earth may lie heavy on him," that his ashes may be tormented in the shades below. In the same manner thou prayest in good part for him, to whom thou owest favour, that his bones and ashes may be comforted, and desirest that he may rest happily in the shades below. If thou hast no sense of suffering after

death, if no continuance of feeling, if, in a word, thou art thyself nothing when thou hast left the body, why dost thou lie against thyself, as though thou couldest suffer something hereafter? nay, why dost thou fear death at all, if thou hast nothing to fear after death, inasmuch as thou hast nothing to feel after death? For although it may be said that death is feared, not because it threateneth any thing for the future, but because it cutteth off the blessings of life, yet since the far more numerous ills of life equally depart, it putteth an end to the fear by the preponderance of the good gained; nor is the loss of good any longer to be feared, which is recompensed by another good, a rest from evil. That is not to be feared, which delivereth us from all that is fearful. If thou fearest to depart out of life, because thou knowest life to be very good, at all events thou oughtest not to fear death, which thou dost not know to be evil. But in that thou fearest it, thou knowest it to be evil. But thou wouldest not know this, for thou wouldest not fear it, unless thou knewest that there is something after death, which maketh it an evil, such that thou mayest fear it. Let us say nothing now of the instinctive habit of fearing death. Let no one fear that which he cannot escape. I will meet thee on the opposite question of the hope of greater happiness after death. For the desire of fame after death is naturally implanted in almost all men. It would be tedious to rehearse the Curtii, and the Reguli, or those Grecian heroes of whose contempt of death, for the sake of posthumous fame, we have innumerable accounts. Who at this day doth not so study to make his memory rife after death, as to preserve his name either by works of literature, or by the simple reputation of his character, or by the ambitious pomp of his very tomb? Whence cometh it, that the soul at this day aspireth to something which it would have after death, and diligently prepareth those things which it is to enjoy after death? Surely it would care nothing for the future, if it knew nothing of the future. But perhaps thou art more fully assured that thou shalt feel after thy departure than that thou shalt ever rise again, which we are charged with maintaining presumptuously. But this also is declared by the soul. For if any man maketh enquiry of one already dead as though he were alive, the answer is ready at hand; "He is gone;" then, he is to return."

V. These testimonies of the soul are as simple as they are true, as trite as they are simple, as common as they are trite, as natural as they are common, as divine as they are natural. I think that they cannot appear to any one to be trifling and ridiculous, if he considereth

the majesty of Nature, whence the authority of the soul is derived. Whatsoever thou allowest to the mistress, thou wilt assign to the disciple. Nature is the mistress, the soul is the disciple: whatsoever the one hath taught, or the other hath learned, hath been delivered to them by God, Who is, in truth, the Master even of the mistress herself. What notion the soul is able to conceive respecting its first Teacher, it is in thy power to judge, from that soul which is within thee. Feel thou that which maketh thee to feel. Think upon that which is in forebodings, thy prophet; in omens, thy augur; in the events which befal thee, thy fore-seer. Strange if, being given by God, it knoweth how to divine unto men! Equally strange if it knoweth Him by Whom it hath been given! Even when compassed about by its adversary, it remembereth its Author, and His goodness, and His decree, and its own end, and its adversary himself. So it is a strange thing if, being given by God, it teacheth those self-same things, which God hath given unto His people to know! But he who doth not think that such utterances of the soul are the teaching of a congenial nature, and the silent deposits of an innate conscience, will say rather that the habit, and as it were the evil, of such forms of speech, hath now become confirmed by the doctrines of published books being wafted abroad among the people. Surely the soul existed before letters, and discourse before books, and the thought which is written, before the writing of it, and the man himself before the Philosopher and the Poet. Is it then to be believed that before letters and the publication of them, men lived without utterance of speech upon such matters? No one, I suppose, spoke of God and His goodness! no one spoke of death nor of the shades below! discourse went a begging, nay, could not exist at all, for lack, at that time, of those subjects, without which even at this day it can gain neither in fulness, nor richness, nor wisdom, if those things which at this day are so obvious, so continually present, so near at hand, being in a manner bred in the very lips, had no being in former times, before letters had sprung up in the world, before Mercury, methinks, was born. And whence cometh it that letters themselves were ordained, to know, and spread abroad for the use of speech, things which no mind had ever conceived, nor tongue pronounced, nor ear heard? But in truth since the Divine Scriptures, which are in our hands, or in the hands of the Jews, into whose olive-tree we have been grafted from a wild olive, precede secular writings by a long period, not merely by a moderate space of time, (as we have shewn in the proper place, in order to prove their authority,) even if the soul hath taken these declarations

from books, surely we must needs believe that it hath taken them from ours and not from yours, because the former things are better for the instruction of the soul than the latter, which themselves also waited to be instructed by the former; and even should we allow that it was instructed out of yours, still tradition belongeth to its first origin; and that is altogether ours, whatsoever ye have chanced to take and to deliver out of our writings. And since this is so, it mattereth little whether this consciousness of the soul be formed by God or by the writings of God.

VI. Why then, O man, wilt thou have it that these truths have proceeded forth from human opinions in thine own writings, so as to come to be hardened by common use? Believe therefore thine own writings; and, as concerning our records, believe so much the more those which are of God; but, as concerning the judgment of the soul itself, by all means believe Nature. Choose whichever of these thou notest to be the most faithfully a sister to Truth. If thou doubtest concerning thy own writings, neither God nor Nature speakest falsely. That thou mayest believe both Nature and God, believe the soul: thus it will come to pass, that thou believest thine own self. At all events it is that soul of which thou makest great account, in proportion as she maketh thee great; whose thou art entirely, who is thine all, without whom thou canst neither live nor die, for whose sake thou neglectest God. For when thou fearest to become a Christian, call upon her to answer why, while she worshippeth another, she nameth the name of God? Why, when she proscribeth spirits as to be accursed, doth she proclaim them demons? Why uttereth she protestation heaven-wards, and detestation earth-wards? why in one place doth she serve Him, in another call upon Him as an avenger? why doth she judge concerning the dead? why doth she use the words of the Christians, whom she would fain neither hear nor see? why hath she either given us those words, or received them from us? why hath she been either our teacher or our disciple? Distrust (if thou canst) this agreement of doctrine and so great an inconsistency of conversation. Thou art a fool if thou ascribest such things to this language only or to the Greek, (which are held to be nearly akin to each other,) so as to deny the universal language of Nature. The soul descendeth not from Heaven upon the Latins or the Greeks alone. Throughout the world man is one, though his names be various; the soul is one, though its language be various; the spirit is one, though its voice be various. Every nation hath its own proper speech; but the matter of all speech is the same in all.

God is every where, and the goodness of God is every where: the demon is every where, and the curse upon the demon is every where: the calling down of the divine judgment is every where: death is every where, and the consciousness of death is every where, and the witness thereof is every where. Every soul of its own right proclaimeth aloud those things, which we are not permitted even to whisper. With good reason then is every soul both a culprit and a witness, as much a culprit in respect of error, as it is at the same time a witness of the truth; and in the day of judgment it shall stand before the courts of God, having nothing to answer to the charge—"Thou didst preach God, and didst not seek after Him: thou didst detest demons, and didst worship them: thou didst appeal to the judgment of God, and didst not believe in its being: thou didst anticipate punishments in a world below, and didst take no heed against them: thou didst savour of the name of Christ, and didst persecute the Christian!"

TRANSLATION BY C. DODGSON.

ORIGEN

ORIGEN was born of Christian parents, probably at Alexandria, about 185 A. D. In 202 A. D. his father fell a martyr to one of the many persecutions of those days. Orogen seems to have been given a good education at one of the Church schools, and in 203 was put at the head of the school of Catechism. He became very popular, but was such an ascetic in his beliefs that he mutilated himself in order that he might be left the freer to carry out his work amongst pupils of both sexes. Soon after this he travelled extensively and was ordained a presbyter (priest) by friendly bishops of Palestine, but was deposed by a synod called by the bishop of Alexandria. He returned to Palestine and founded a school there in 231 A. D. He seems to have continued to travel extensively up till the time of his death in 254 A. D.

He was the first to analyze the theology and science of the Church and compress it into tangible and dogmatic form. Many of his tenets are now considered heretical, but his importance as the beginner of the movement is unquestionably great.

PRINCIPLES OF FAITH

1. All who believe and are assured that grace and truth were obtained through Jesus Christ, and who know Christ to be the truth, agreeably to His own declaration, "I am the truth," derive the knowledge which incites men to a good and happy life from no other source than from the very words and teaching of Christ. And by the words of Christ we do not mean those only which He spake when He became man and tabernacled in the flesh; for before that time, Christ, the Word of God, was in Moses and the prophets. For without the Word of God, how could they have been able to prophesy of Christ? And were it not our purpose to confine the present treatise within the limits of all attainable brevity, it would not be difficult to show, in proof of this statement, out of the Holy Scriptures, how Moses or the prophets both spake and performed all they did through being filled with the Spirit of Christ. And therefore I think it sufficient to quote this one testimony of Paul from the Epistle to the Hebrews, in which he says: "By faith Moses, when he was come to years, refused to be called the son of Pharaoh's daughter; choosing rather to suffer affliction with the people of God, than to enjoy the pleasures of sin for a season; esteeming the reproach of Christ greater riches than the treasures of the Egyptians." Moreover, that after His ascension into heaven He spake in his apostles, is shown by Paul in these words: "Or do you seek a proof of Christ, who speaketh in me?"

2. Since many, however, of those who profess to believe in Christ differ from each other, not only in small and trifling matters, but also on subjects of the highest importance, as, e.g., regarding God, or the Lord Jesus Christ, or the Holy Spirit; and not only regarding these, but also regarding others which are created existences, viz., the powers and the holy virtues; it seems on that account necessary first of all to fix a definite limit and to lay down an unmistakable rule regarding each one of these, and then to pass to the investigation of other points. For as we ceased to speak for truth (notwithstanding the professions of many among Greeks and Barbarians to make it known) among all who claimed it for erroneous opinions, after we had come to believe that Christ was the Son of God, and were persuaded that we must learn it from Himself; so, seeing there are many who think they hold the opinions of Christ, and yet some of these think differently from

their predecessors, yet as the teaching of the Church, transmitted in orderly succession from the apostles, and remaining in the Churches to the present day, is still preserved, that alone is to be accepted as truth which differs in no respect from ecclesiastical and apostolic tradition.

Now it ought to be known that the holy apostles, in preaching the faith of Christ, delivered themselves with the ulmost clearness on certain points which they believed to be necessary to every one, even to those who seemed somewhat dull in the investigation of divine knowledge; leaving, however, the grounds of their statements to be examined into by those who should deserve the excellent gifts of the Spirit, and who, especially by means of the Holy Spirit Himself, should obtain the gift of language, of wisdom, and of knowledge: while on other subjects they merely stated the fact that things were so, keeping silence as to the manner or origin of their existence; clearly in order that the more zealous of their successors, who should be lovers of wisdom, might have a subject of exercise on which to display the fruit of their talents,—those persons, I mean, who should prepare themselves to be fit and worthy receivers of wisdom.

4. The particular points clearly delivered in the teaching of the apostles are as follows:—

First, That there is one God, who created and arranged all things, and who, when nothing existed, called all things into being—God from the first creation and foundation of the world—the God of all just men, of Adam, Abel, Seth, Enos, Enoch, Noe, Sem, Abraham, Isaac, Jacob, the twelve patriarchs, Moses, and the prophets; and that this God in the last days, as He had announced beforehand by His prophets, sent our Lord Jesus Christ to call in the first place Israel to Himself, and in the second place the Gentiles, after the unfaithfulness of the people of Israel. This just and good God, the Father of our Lord Jesus Christ, Himself gave the law, and the prophets, and the Gospels, being also the God of the apostles and of the Old and New Testaments.

Secondly, That Jesus Christ Himself, who came (into the world), was born of the Father before all creatures; that, after He had been the servant of the Father in the creation of all things—"For by Him were all things made"—He in the last times, divesting Himself (of His glory), became a man, and was incarnate although God, and while made a man remained the God which He was; that He assumed a body like to our own, differing in this respect only, that it was born of a virgin and of the Holy Spirit; that this Jesus Christ was truly born, and

did truly suffer, and did not endure this death common (to man) in appearance only, but did truly die; that He did truly rise from the dead; and that after His resurrection He conversed with His disciples, and was taken up (into heaven).

Then, *Thirdly,* the apostles related that the Holy Spirit was associated in honour and dignity with the Father and the Son. But in His case it is not clearly distinguished whether He is to be regarded as born or innate, or also as a Son of God or not: for these are points which have to be inquired into out of sacred Scripture according to the best of our ability, and which demand careful investigation. And that this Spirit inspired each one of the saints, whether prophets or Apostles; and that there was not one Spirit in the men of the old dispensation, and another in those who were inspired at the advent of Christ, is most clearly taught throughout the Churches.

5. After these points, also, the apostolic teaching is that the soul, having a substance and life of its own, shall, after its departure from the world, be rewarded according to its deserts, being destined to obtain either an inheritance of eternal life and blessedness, if its actions shall have procured this for it, or to be delivered up to eternal fire and punishments, if the guilt of its crimes shall have brought it down to this: and also, that there is to be a time of resurrection from the dead, when this body, which now "is sown in corruption, shall rise in incorruption," and that which "is sown in dishonour will rise in glory." This also is clearly defined in the teaching of the Church, that every rational soul is possessed of free-will and volition; and has a struggle to maintain with the devil and his angels, and opposing influences, because they strive to burden it with sins; but if we live rightly and wisely, we should endeavour to shake ourselves free of a burden of that kind. From which it follows, also, that we understand ourselves not to be subject to necessity, so as to be compelled by all means, even against our will, to do either good or evil. For if we are our own masters, some influences perhaps may impel us to sin, and others help us to salvation; we are not forced, however, by any necessity either to act rightly or wrongly, which those persons think is the case who say that the courses and movements of the stars are the course of human actions, not only of those which take place beyond the influence of the freedom of the will, but also of those which are placed within our own power. But with respect to the soul, whether it is derived from the seed by a process of traducianism, so that the reason or substance of it may be considered as placed in the seminal particles of the body

themselves, or whether it has any other beginning; and this beginning itself, whether it be by birth or not, or whether bestowed upon the body from without or no, is not distinguished with sufficient clearness in the teaching of the Church.

6. Regarding the devil and his angels, and the opposing influences, the teaching of the Church has laid down that these beings exist indeed; but what they are, or how they exist, it has not explained with sufficient clearness. This opinion, however, is held by most, that the devil was an angel, and that, having become an apostate, he induced as many of the angels as possible to fall away with himself, and these up to the present time are called his angels.

7. This also is a part of the Church's teaching, that the world was made and took its beginning at a certain time, and is to be destroyed on account of its wickedness. But what existed before this world, or what will exist after it, has not become certainly known to the many, for there is no clear statement regarding it in the teaching of the Church.

8. Then, finally, that the Scriptures were written by the Spirit of God, and have a meaning, not such only as is apparent at first sight, but also another, which escapes the notice of most. For those (words) which are written are the forms of certain mysteries, and the images of divine things. Respecting which there is one opinion throughout the whole Church, that the whole law is indeed spiritual; but that the spiritual meaning which the law conveys is not known to all, but to those only on whom the grace of the Holy Spirit is bestowed in the word of wisdom and knowledge.

The term *asomaton,* i. e., incorporeal, is disused and unknown, not only in many other writings, but also in our own Scriptures. And if any one should quote it to us out of the little treatise entitled *The Doctrine of Peter,* in which the Saviour seems to say to His disciples, "I am not an incorporeal demon," I have to reply, in the first place, that that work is not included among ecclesiastical books; for we can show that it was not composed either by Peter or by any other person inspired by the Spirit of God. But even if the point were to be conceded, the word *asomaton* there does not convey the same meaning as is intended by Greek and Gentile authors when incorporeal nature is discussed by philosophers. For in the little treatise referred to he used the phrase "incorporeal demon" to denote that that form or outline of demoniacal body, whatever it is, does not resemble this gross

and visible body of ours; but, agreeably to the intention of the author of the treatise, it must be understood to mean that He had not so much a body as demons have, which is naturally fine, and thin as if formed of air (and for this reason is either considered or called by many incorporeal), but that He had a solid and palpable body. Now, according to human custom, everything which is not of that nature is called by the simple or ignorant incorporeal; as if one were to say that the air which we breathe was incorporeal, because it is not a body of such a nature as can be grasped and held, or can offer resistance to pressure.

9. We shall inquire, however, whether the thing which Greek philosophers call *asomaton*, or "incorporeal," is found in holy Scripture under another name. For it is also to be a subject of investigation how God himself is to be understood,—whether as corporeal, and formed according to some shape, or of a different nature from bodies,—a point which is not clearly indicated in our teaching. And the same inquiries have to be made regarding Christ and the Holy Spirit, as well as respecting every soul, and everything possessed of a rational nature.

10. This also is part of the teaching of the Church, that there are certain angels of God, and certain good influences, which are His servants in accomplishing the salvation of men. When these, however, were created, or of what nature they are, or how they exist, is not clearly stated. Regarding the sun, moon, and stars, whether they are living beings or without life, there is no distinct deliverance.

Every one, therefore, must make use of elements and foundations of this sort, according to the precept, "Enlighten yourselves with the light of knowledge," if he would desire to form a connected series and body of truths agreeably to the reason of all these things, that by clear and necessary statements he may ascertain the truth regarding each individual topic, and form, as we have said, one body of doctrine, by means of illustrations and arguments,—either those which he has discovered in holy Scripture, or which he has deduced by closely tracing out the consequences and following a correct method.

TRANSLATION OF REV. FREDK. CROMBIE.

CYPRIAN

Thascius Caecilius Cyprianus was born of a wealthy patrician family about 200 A. D. While yet a young man he was a brilliant teacher of rhetoric at Carthage, and during that period seems to have disputed with members of the rising Christian Church. Their arguments or evidence must have been too strong for his disbelief, for he became converted and at once assumed an influential position among the Christians of the city.

He spent most of his wealth on the poor and grew to be so popular that the whole Christian populace called him to the head of the Carthaginian church. This made him a buffer against the imperial persecutions. Several times he was driven into hiding or exile, and at last he was brought before the magistrate and condemned to death in accordance with the decree of Valerian, because he would not sacrifice to the emperor. This it must be remembered was at the time considered a form of treason against the Roman state.

His letters show the feelings of the period, and his address on the Unity of the Church illustrates the beginning of the movement toward organization that finally made a world empire of the Church.

THE UNITY OF THE CHURCH

Forasmuch as the Lord warns us, saying, *Ye are the salt of the earth,* and bids us to possess an innocent simplicity, yet being simple, to be also prudent, is it not befitting, dearest brethren, to hold ourselves in wariness, and by keeping watch with an anxious heart, to become forewarned and withal forearmed, against the snares of our subtle enemy? lest we, who have put on Christ, the Wisdom of God the Father, should yet be found to lack wisdom, for the making sure of our salvation. That persecution is not the only one to be feared, which advances by open assault to the ruin and downfal of God's servants; caution is easy, where the danger is manifest; and the mind is in readiness for the battle, when the enemy makes himself known. More

to be feared and more to be watched is a foe, who creeps upon us unawares, who deceives under the image of peace, and glides forward with the hidden movements, which have given him the name of Serpent. Such always is his deceitfulness; such the dark and backward artifices, by which he compasses man; thus in the first beginning of the world he wrought his deceit, and by lying words of flattery, led away unformed souls in their incautious credulity. Thus when he would tempt the Lord Himself, he came unawares upon Him, as if to creep on him a second time and deceive; yet was he seen through and driven back; beaten down was he, by reason that he was discovered and exposed. Herein is the example given us, to flee from the way of the old man, and to tread in the footsteps of Christ who conquered; lest we slide back by incaution into the toils of death, instead of, through foresight of danger, partaking the immortality that has been gained for us. Yet how can we partake immortality, unless we keep those commandments of Christ, by which death is taken prisoner and overcome? For Himself admonishes us, and says, *If thou wilt enter into life, keep the commandments;* and again, *If ye do the things I command you, henceforth I call you not servants but friends.* It is such persons, in fine, that He declares to be stable and enduring; founded in massive strength upon a rock, and settled with firmness untroubled and untouched, amidst all the storms and winds of this world. *Whosoever,* said He, *heareth these sayings of Mine and doeth them, I will liken him unto a wise man, that built his house upon a rock; the rain descended, the floods came, the winds blew, and beat upon that house, and it fell not, for it was founded upon a rock.* We ought therefore to have our footing in His words, to learn and to do all that He taught and did. But how can he say he believes in Christ, who does not that which Christ has bade him do? or how come to the reward of faith, who will keep no faith with the commandment? Needs must he totter and fall astray; caught by a spirit of terror, he will be wafted up like dust in a whirlwind; nor will his walk lead forward to salvation, who does not hold the truth of the saving way.

2. We must be warned then, dearest brethren, not only against things open and manifest, but also against those which deceive us, through the guile of craft and fraud. What now can be more crafty, or what more artful, than for this enemy, detected and downfallen by the advent of Christ, now that light is come to the nations, and the beams of salvation shine forth unto the health of man, that the deaf may hear the sound of spiritual grace, the blind may open their

eyes upon God, the sick regain the strength of an eternal healing, the lame run to church, the dumb lift on high their voices to speak and worship, for him, thus seeing his idols left, his seats and temples deserted by the manifold congregation of believers, to invent the new deceit, whereby to carry the incautious into error, while retaining the name of the Christian profession? He has made heresies and schisms, wherewith to subvert faith, to corrupt truth, and rend unity. Those whom he cannot detain in the blindness of the old way, he compasses and deceives by misleading them on their new journey. He snatches men from out the Church itself, and while they think themselves come to the light, and escaped from the night of this world, he secretly gathers fresh shadows upon them; so that standing neither with the Gospel of Christ, nor with His ordinances, nor with His law, they yet call themselves Christians, walking among darkness, and thinking that they have light; while the foe flatters and misleads, transforms himself, according to the word of the Apostle, into *an Angel of light,* and garbs his ministers like ministers of righteousness: these are the maintainers of night for day, of death for salvation, giving despair while they proffer hope, faithlessness clothed as faith, Antichrist under the name of Christ; that by putting false things under an appearance of true, they may with subtilty impede the truth.

3. This will be, most dear brethren, so long as there is no regard to the source of truth no looking to the Head, nor keeping to the doctrine of our heavenly Master. If any one consider and weigh this, he will not need length of comment or argument. It is easy to offer proofs to a faithful mind, because in that case the truth may be quickly stated. The Lord saith unto Peter, *I say unto thee,* (saith He) *that thou art Peter, and upon this rock I will build My Church, and the gates of Hell shall not prevail against it. And I will give unto thee the keys of the kingdom of heaven, and whatsoever thou shalt bind on earth, shall be bound also in heaven, and whatsoever thou shalt loose on earth, shall be loosed in heaven.* To him again, after His resurrection, He says, *Feed My sheep.* Upon him being one He builds His Church; and though He gives to all the Apostles an equal power and says, *As My Father sent Me, even so send I you; receive ye the Holy Ghost; whosesoever sins ye remit, they shall be remitted to him, and whosesoever sins ye retain, they shall be retained;*—yet in order to manifest unity, He has by His own authority so placed the source of the same unity, as to begin from one. Certainly the other Apostles also were what Peter was, endued with an equal fellowship both of honour and

power; but a commencement is made from unity, that the Church may be set before us as one; which one Church, in the Song of Songs, doth the Holy Spirit design and name in the Person of our Lord: *My dove, My spotless one, is but one; she is the only one of her mother, elect of her that bare her.*

4. He who holds not this unity of the Church, does he think he holds the faith? He who strives against and resists the Church, is he assured that he is in the Church? For the blessed Apostle Paul teaches this same thing, and manifests the sacrament of unity thus speaking; *There is One Body, and One Spirit, even as ye are called in One Hope of your calling; One Lord, One Faith, One Baptism, One God.* This unity firmly should we hold and maintain, especially we Bishops, presiding in the Church, in order that we may approve the Episcopate itself to be one and undivided. Let no one deceive the Brotherhood by falsehood; no one corrupt the truth of our faith, by a faithless treachery. The Episcopate is one; it is a whole, in which each enjoys full possession. The Church is likewise one, though she be spread abroad, and multiplies with the increase of her progeny: even as the sun has rays many, yet one light; and the tree boughs many, yet its strength is one, seated in the deep-lodged root; and as, when many streams flow down from one source, though a multiplicity of waters seem to be diffused from the bountifulness of the overflowing abundance, unity is preserved in the source itself. Part a ray of the sun from its orb, and its unity forbids this division of light; break a branch from the tree, once broken it can bud no more; cut the stream from its fountain, the remnant will be dried up. Thus the Church, flooded with the light of the Lord, puts forth her rays through the whole world, with yet one light, which is spread upon all places, while its unity of body is not infringed. She stretches forth her branches over the universal earth, in the riches of plenty, and pours abroad her bountiful and onward streams; yet is there one head, one source, one Mother, abundant in the results of her fruitfulness.

5. It is of her womb that we are born; our nourishing is from her milk, our quickening from her breath. The spouse of Christ cannot become adulterate, she is undefiled and chaste; owning but one home, and guarding with virtuous modesty the sanctity of one chamber. She it is who keeps for God, and appoints unto the kingdom the sons she has borne. Whosoever parts company with the Church, and joins himself to an adulteress, is estranged from the promises of the Church. He who leaves the Church of Christ, attains not to

Christ's rewards. He is an alien, an outcast, an enemy. He can no longer have God for a Father, who has not the Church for a Mother. If any man was able to escape, who remained without the ark of Noah, then will that man escape who is out of doors beyond the Church. The Lord warns us, and says, *He who is not with Me is against Me, and he who gathereth not with Me, scattereth.* He who breaks the peace and concord of Christ, sets himself against Christ. He who gathers elsewhere but in the Church, scatters the Church of Christ. The Lord saith, *I and the Father are one;* and again of the Father, the Son, and the Holy Ghost, it is written, *and these three are one;* and does any think, that oneness, thus proceeding from the divine immutability, and cohering in heavenly sacraments, admits of being sundered in the Church, and split by the divorce of antagonistic wills? He who holds not this unity, holds not the law of God, holds not the faith of Father and Son, holds not the truth unto salvation.

6. This sacrament of unity, this bond of concord inseparably cohering, is signified in the place in the Gospel, where the coat of our Lord Jesus Christ is in no-wise parted nor cut, but is received a whole garment, by them who cast lots who should rather wear it, and is possessed as an inviolate and individual robe. The divine Scripture thus speaks, *But for the coat, because it was not sewed, but woven from the top throughout, they said one to another, Let us not rend it, but cast lots whose it shall be.* It has with it a unity descending from above, as coming, that is, from heaven and from the Father; which it was not for the receiver and owner in any wise to sunder, but which he received once for all and indivisibly as one unbroken whole. He cannot own Christ's garment, who splits and divides Christ's Church. On the other hand, when, on Solomon's death, his kingdom and people were split in parts, Ahijah the Prophet, meeting king Jereboam in the field, rent his garment into twelve pieces, saying, *Take thee ten pieces; for thus saith the Lord, Behold, I will rend the kingdom out of the hand of Solomon, and will give ten tribes to thee; and two tribes shall be to him for My servant David's sake, and for Jerusalem, the city which I have chosen, to place My Name there.* When the twelve tribes of Israel were torn asunder, the Prophet Ahijah rent his garment. But because Christ's people cannot be rent, His coat, woven and conjoined throughout, was not divided by those it fell to. Individual, conjoined, coentwined, it shews the coherent concord of our people who put on Christ. In the sacrament and sign of His garment, He has declared the unity of His Church.

7. Who then is the criminal and traitor, who so inflamed by the madness of discord, as to think aught can rend, or to venture on rending, God's unity, the Lord's garment, Christ's Church? He Himself warns us in His Gospel, and teaches, saying, *And there shall be one flock, ond one Shepherd.* And does any think that there can be one place be either many shepherds, or many flocks? The Apostle Paul likewise, intimating the same unity, solemnly exhorts, *I beseech you, brethren, by the Name of our Lord Jesus Christ, that ye all speak the same thing, and that there be no schisms among you; but that ye be joined together in the same mind, and in the same judgment.* And again he says, *Forbearing one another in love; endeavoring to keep the unity of the Spirit in the bond of peace.* Think you that any can stand and live, who withdraws from the Church, and forms himself a new home, and a different dwelling? Whereas it was said to Rahab, in whom was prefigured the Church, *Thy father, and thy mother, and thy brethren, and all the house of thy father, thou shalt gather unto thee into thine house; and it shall come to pass; whosoever shall go abroad beyond the door of thine house, his blood shall be on his own head.* And likewise the sacrament of the Passover doth require just this in the law of Exodus, that the lamb which is slain for a figure of Christ, should be eaten in one house. God speaks and says, *In one house shall ye eat it; ye shall not send its flesh abroad from the house.* The Flesh of Christ, and the Holy Thing of the Lord, cannot be sent aboard; and believers have not any dwelling but the Church only. This dwelling, this hostelry of unanimity, the Holy Spirit designs and betokens in the Psalms, thus saying, *God who maketh men to dwell with one mind in an house.* In the house of God, in the Church of Christ, men dwell with one mind, in concord and singleness enduring.

8. For this cause the Holy Spirit came in the form of a dove: a simple and pleasant creature, with no bitterness of gall, no fierceness of bite, no violence of rending talons: loving the houses of men, consorting within one home, each pair nurturing their young together, when they fly abroad hanging side by side upon the wing, leading their life in mutual intercouse, giving with the bill the kiss of peace in agreement, and fulfilling a law of unanimity, in every way. This singleness of heart must be found, this habit of love be attained to in the Church; brotherly affection must make doves its pattern, gentleness and kindness must emulate lambs and sheep. What doth the savageness of wolves, in a Christian breast? or the fierceness of dogs, or the deadly poison of serpents or the cruel fury of wild beasts? We

must be thankful when such become separate from the Church, that so their fierce and poisoned contagion may not cause a havoc among the doves and sheep of Christ; there cannot be fellowship and union of bitter with sweet, darkness with light, foul weather with fair, war with peace, famine with plenty, drought with fountains, or storm with calm.

9. Let no one think that they can be good men, who leave the Church. Wind does not take the wheat, nor do storms overthrow the tree that has a solid root to rest on. It is the light straw that the tempest tosses, it is trees emptied of their strengh that the blow of the whirlwind strikes down. These the Apostle John curses and smites, saying, *They went forth from us, but they were not of us; for if they had been of us, surely they would have remained with us.* Thus is it that heresies both often have been caused, and still continue; while the perverted mind is estranged from peace, and unity is lost amongst faithless discord. Nevertheless, the Lord permits and suffers these things to be, preserving the power of choice to individual free-will, in order that while the discrimination of truth is a test of our hearts and minds, the perfect faith of them that are approved may shine forth in the manifest light. The Holy Spirit admonishes us by the Apostle and says, *It is needful also that heresies should be, that they which are approved may be made manifest among you.* Thus are the faithful approved, thus the false detected; thus even here, before the day of judgment, the souls of the righteous and unrighteous are divided, the chaff separated from the wheat.

10. These are they who, with no appointment from God, take upon them of their own will to preside over their venturesome companions, establish themselves as rulers without any lawful rite of ordination, and assume the name of Bishop, though no man gives them a Bishopric. These the Holy Spirit in the Psalms describes, as *sitting in the seat of pestilence,* a plague and infection of the faith, deceiving with the mouth of a serpent, cunning to corrupt truth, vomiting out deadly poisons from pestilential tongues. Whose words *spread as doth a canker:* whose writings pour a deadly poison into men's breasts and hearts. Against such the Lord cries out; from these he curbs and recalls His straying people, saying, *Hearken not unto the words of the Prophets which prophesy falsely, for the vision of their heart maketh them vain. They speak, but not out of the mouth of the Lord; they say to those who cast away the word of God, Ye shall have peace; and every one that walketh after the imagination of his own heart, no evil shall come upon him. I have not spoken to*

them, yet they prophesied; if they had stood in My substance and heard My words, and taught My people, I would have turned them from their evil thoughts. These same persons the Lord designs and signifies, saying, *They have forsaken Me, the fountain of living water, and hewed them out broken cisterns, than can hold no water.* While there can be no Baptism save one only, they think that they can baptize. They forsake the fountain of life, yet promise the gift of a vital and saving water. Men are not cleansed by them, but rather made foul; nor their sins purged away, but even heaped up: it is a birth that gives children not to God, but to the Devil. Born by a lie, they cannot receive the promises of truth. Gendered of misbelief, they lose the grace of faith. They cannot come to the reward of peace, because they have destroyed the peace of the Lord, in reckless discord.

11. Neither let certain persons beguile themselves by a vain interpretation, in that the Lord hath said, *Wheresoever two or three are gathered together in My Name, I am with them.* Those who corrupt and falsely interpret the Gospel, lay down what follows, but omit what goes before; giving heed to part, while part they deceitfully suppress; as themselves are sundered from the Church, so they divide the purport of what is one passage. For when the Lord was impressing agreement and peace upon His Disciples, He said, *I say unto you, that if two of you shall agree on earth, touching any thing that ye shall ask, it shall be given you by My Father which is in heaven. For wheresoever two or three shall be gathered together in My Name, I am with them.* Shewing that most is given, not to the many in number when they pray, but to oneness of heart. *If,* He saith, *two of you shall agree together on earth;* He places agreement first; hearts at peace are the first condition; He teaches that we must agree together faithfully and firmly. Yet how can he be said to agree with the others, who is at disagreement with the body of the Church itself, and with the universal brotherhood? How can two or three be gathered together in Christ's name, who are manifestly separate from Christ and from His Gospel? We did not go out from them, but they went out from us. And whereas heresies and schisms have a later rise, from men's setting up separate meetings for worship, they have left the fountain head and origin of truth. But it is of His Church, that the Lord is speaking; and in respect of those who are in His Church, He says, that if they are of one mind, if according to what He bade and admonished, two or three though they be, they gather together with agreement of the heart; then (though but two or three) they will be able

to obtain from the majesty of God the thing which they ask for. *Wherever two or three are gathered together in My Name, I,* saith He, *am with them:* that is, with the single-hearted, and them that live in peace, fearing God, and keeping His commandments. With these, though they be two or three, He has said that He is. So was He with the Three Children in the fiery furnace: and because they continued in singleness of heart toward God, and at unity with themselves, He refreshed them in the midst of the encircling flames with *the breath of dew.* So too was He present with the two Apostles who were shut in prison, because they continued in singleness and agreement of heart; and undoing the prison-bolts, He placed them again in the market-place, that they might deliver to the multitude that Word which they were faithfully preaching. When therefore He sets it forth in His commandment, and says, *Where two or three are gathered together in My Name, I am with them,* He does not divide men from the Church, Himself the institutor and make of it, but rebuking the faithless for their discord, He shews that he is more present with two or three which pray with one heart, than with many persons disunited from one another; and that more can be obtained by the agreeing prayer of a few persons, than from the petitioning of many where discord is among them. For this cause when He gave the rule of prayer, He added, *When ye stand praying, forgive if ye have ought against any, that your Father also which is in heaven may forgive you your trespass;* and one who comes to the Sacrifice with a quarrel He calls back from the altar, and commands Him first to *be reconciled* with his brother, and then, when he is at peace, to return, and *offer* his *gift* to God; for neither had God respect unto Cain's offering; for he could not have God at peace with him, who through envy and discord was not at peace with his brother.

12. Of what peace then are they to assure themselves, who are at enmity with the brethren? What Sacrifice do they believe they celebrate, who are rivals of the Priests? Think they Christ is still in the midst of them when gathered together, though gathered beyond Christ's Church? If such men were even killed for confession of the Christian Name, not even by their blood is this stain washed out. Inexplicable and heavy is the sin of discord, and is purged by no suffering. He cannot be a Martyr, who is not in the Church; he can never attain to the kingdom, who leaves her, with whom the kingdom shall be. Christ gave us peace; He bade us be of one heart and one mind; He commanded that the covenant of affection and charity should

be kept unbroken and inviolate; he cannot shew himself as a Martyr who has not kept the love of the brotherhood. The Apostle Paul teaches this, thus witnessing; *And though I have faith, so that I can remove mountains, and have not charity, I am nothing: and though I give all my goods to feed the poor, and though I give my body to be burned, and have not charity, it profiteth me nothing. Charity suffereth long and is kind; charity envieth not, charity acteth not vainly, is not puffed up, is not easily provoked, thinketh no evil, is pleased with all things, believeth all things, hopeth all things, endureth all things; charity never faileth. Charity,* he saith, *never faileth;* for she will reign for ever, she will abide evermore in the unity of a brotherhood which entwines itself around her. In the kingdom of heaven discord cannot enter; it cannot gain the reward of Christ who said, *This is My commandment, that ye love one another, as I have loved you.* It will never be his to belong to Christ, who has violated the love of Christ by unfaithful dissension. He who has not love, has not God. It is the word of the blessed Apostle John, *God,* saith he, *is love; and he that dwelleth in love, dwelleth in God, and God in him.* They cannot dwell with God, who have refused to be of one mind in God's Church; though they be given over to be burnt in flame and fire, or yield their lives a prey to wild beasts, theirs will not be the crown of faith, but the penalty of unfaithfulness; not the glorious issue of dutiful valour, but the death of despair. A man of such sort may indeed be killed, crowned he cannot be.

He professes himself a Christian after the manner in which the Devil oftentimes feigns himself to be Christ, as the Lord Himself forewarns us, saying, *Many shall come in My Name, saying, I am Christ, and shall deceive many.* No more than he is Christ, though he deceive beneath His Name, can he be looked upon as a Christian, who does not abide in the truth of His Gospel and of faith. To prophesy, to cast out devils, to perform great miracles on earth, is a high, doubtless, and a wonderful thing; yet the man who is found in all these things attains not to the heavenly kingdom, unless he walk in an observance of the straight and righteous way. The Lord speaks this denunciation; *Many shall say to Me in that day, Lord, Lord, have we not prophesied in Thy Name? and in Thy Name have cast out devils? and in Thy Name done many wonderful works? And then will I profess unto them, I never knew you; depart from Me, ye that work iniquity.* Righteousness is the thing needful, before any one can find grace with God the Judge. We must obey His instructions and

warnings, in order that our deserts may receive their reward. When the Lord in the Gospel would direct the path of our hope and faith in a summary of words; *The Lord thy God,* He said, *is one: and thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy strength. This is the first commandment; and the second is like unto it; Thou shalt love thy neighbour as thyself. On these two commandments hang all the Law and the Phophets.* Unity and love together is the instruction which He teaches us; in two commandments He has included all the Prophets and the Law. Yet what unity does he keep, what love does he either maintain, or have a thought for, who, maddened by the heart of discord, rends the Church, pulls down faith, troubles peace, scatters charity, profanes the sacrament?

14. This mischief, dearest brethren, had long before begun, but in these very days the dire havoc of this same evil has been gaining growth, and the unvenomed pest of heretical perverseness and of schisms is shooting up and sprouting afresh; for thus must it be in the end of the world, the Holy Spirit having forespoken by the Apostle, and forewarned us. *In the last days,* saith He, *perilous times shall come, for men shall be lovers of their own selves, proud, boasters, covetous, blasphemers, disobedient to parents, unthankful, unholy, without natural affection, trucebreakers, false accusers, incontinent, fierce, despisers of the good, traitors, heady, high minded, lovers of pleasures more than lovers of God, having a form of godliness, but denying the power thereof. Of this sort are they which creep into houses, and lead captive silly women laden with sins, led away with divers lusts; ever learning, and never coming to the knowledge of the truth. Now as Jannes and Jambres withstood Moses, so do these also resist the truth; men of corrupt minds, reprobate concerning the faith; but they shall proceed no further, for their folly shall be manifest unto all men, as theirs also was.* Whatever things were predicted, are in fulfilment; and, as the end of time draws nigh, they have come to us in trial both of men and times. As the adversary rages more and more, error deceives, haughtiness lifts aloft, envy inflames, covetousness blinds, unholiness depraves, pride puffs up, quarrels embitter, and anger hurries men headlong. Let not however the extreme and sudden faithlessness of many move and disturb us, but rather let it give support to our faith, as the event was declared to us beforehand. As some have become such, because this was foretold beforehand, so (because this too was foretold beforehand) let the other brethren take heed against

them, according as the Lord instructs us and says, *But take ye heed; behold, I have told you all things.* Do ye avoid such men, I beseech you, and put away from beside you, and from your hearing, their pernicious converse, as though a deadly contagion; as it is written, *Hedge thine ears about with thorns, and refuse to hear a wicked tongue.* And again, *Evil communications corrupt good morals.* The Lord teaches and warns us, that we must withdraw ourselves from such. *They be blind,* saith He, *leaders of the blind; and if the blind lead the blind, both shall fall into the ditch.* Whosoever is separated from the Church, such a man is to be avoided and fled from. *Such an one is subverted and sinneth, being condemned of himself.* Thinks he that he is with Christ, who does counter to the Priests of Christ? who separates himself from the fellowship of His clergy and people? That man bears arms against the Church, he withstands God's appointment: an enemy to the altar, a rebel against the Sacrifice of Christ, for faith perfidious, for religion sacrilegious, a servant not obedient, a son not pious, a brother not loving, setting Bishops at nought, and deserting the Priests of God, he dares to build another altar, to offer another prayer with unlicensed words, to profane by false sacrifices the truth of the Lord's Sacrifice. He is not permitted to a knowledge of what he does, since he who strives against the appointment of God, is punished by the divine censure, for the boldness of his daring.

15. Thus Korah, Dathan, and Abiram, who endeavoured to maintain to themselves the privilege of sacrificing, in opposition to Moses and Aaron the Priest, forthwith paid penalty for their attempts. The earth burst its fastenings, and opened the depth of its bosom; standing and alive, the gulf of the parting ground swallowed them. Nor those only who had been movers, did the wrath of an angered God strike; but the two hundred and fifty besides, partakers and companions of the same madness, who had mixed with them in their bold work, a fire going out from the Lord with speedy vengeance consumed; warning and manifesting, that that is done against God, whatsoever evil men of human will endeavour, for the pulling down of God's ordinance. Thus also Uzziah the king who bare the censer, and contrary to God's law, did by violence take to himself to sacrifice, refusing to be obedient and to give way when Azariah the Priest withstood him, he being confounded by the wrath of God, was polluted by the spot of leprosy upon his forehead; in that part of his body was marked by his offended Lord, where they are marked, who have the grace of the Lord assigned them. The sons of Aaron also who put strange fire upon the altar, which the

Lord had not commanded, were speedily consumed in the presence of their avenging Lord. All such are imitated and followed by them, who, despising God's tradition, lust for strange doctrines, and give inlet to ordinances of human imposition; these the Lord rebukes and reproves in His Gospel, thus saying, *Ye reject the commandment of God, that ye may establish your own tradition.*

16. This crime is worse, than that which the lapsed appear to commit; who, at least, when in the condition of penitents for their offence, seek their peace with God, by full satisfactions. In this case the Church is enquired after and applied to; in the other the Church is resisted: here there may have been compulsion in guilt; there free choice is involved: the lapsed harms only himself, but one who undertakes to raise heresy and schism, is a deceiver of many, by leading them along with him. The one both understands that he has sinned, and laments and mourns it; the other, puffed up in his wickedness, and finding pleasure in his own offences, separates sons from the Mother, entices sheep from their shepherd, and disturbs the Sacraments of God. And whereas the lapsed has committed the offence, the other is an offender every day: lastly, the lapsed, if he be admitted to martyrdom afterwards, may reap the promises of the kingdom; the other, if he be killed out of the Church, cannot attain to the Church's rewards.

17. Neither let any one wonder, dearest brethren, that some, even from among Confessors, adventure thus far: that even from among them there are those who sin thus greatly, and thus grievously. Confession does not make a man safe from the crafts of the Devil, nor, while he is still placed in this world, encompass him with perpetual security against its temptations, and dangers, and assaults, and shocks; were it so, we should never witness in Confessors those after-commissions of fraud, fornication, and adultery, which we now groan and grieve at seeing in some of them. Whosoever any Confessor may be, he is not a greater man than Solomon, nor a better, nor one more dear to God: who nevertheless, so long as he walked in the ways of the Lord, continued to be gifted with that grace which from the Lord he obtained; but when he deserted the way of the Lord, he lost the Lord's grace; as it is written, *And the Lord raised up the Adversary against Solomon.* It is for this cause written, *Hold that fast which thou hast, that no man take thy crown.* This the Lord would not threaten, that the crown of righteousness can be taken away, except because when righteousness goes from us, the crown must go from us also. Confession is the beginning of glory, not the full price of the crown; it is

not the perfection of our praise, but the entrance upon our honours; and whereas it is written, *He that endureth to the end shall be saved,* all that is before the end, is the stepping whereby one mounts toward the height of salvation, not the close at where the full summit is gained. If any is a Confessor, then his danger is the greater after confession, because the Adversary is more provoked; if he is a Confessor, then surely, being such a Confessor, he ought the more truly to stand with the Gospel of the Lord, since through the Gospel he has gained his glory from the Lord: for the Lord says, *To whom much is given, of him shall much be required; and to whom more dignity is ascribed, of him more service is exacted.* Let none ever perish through a Confessor's example; let none learn injustice, insolence, or misbelief, from the manners of a Confessor. If he is a Confessor, let him be humble and quiet; let him exercise in his conduct the modesty of a disciplined state, and being called a Confessor of Christ, let him imitate Christ whom he confesses. For since He says, *Whosoever shall exact himself shall be abased, and he that shall humble himself shall be exalted;* and since Himself has been exalted by the Father, because being the Word, and Power, and Wisdom of God the Father, He humbled Himself upon earth, how can He love exaltation, having both commanded humility from us by His law, and Himself received from the Father a most excellent Name, as the reward of His humiliation? If any is a Confessor of Christ, he is such no more, if the majesty and dignity of Christ is afterwards blasphemed through him. The tongue that has confessed Christ, must not speak evil only, not be clamorous, not be heard dinning with reproaches and quarrels, nor, after words of worship, dart serpent's poison against the Brethren and the Priests of God. But if a man afterwards becomes guilty and hateful, if he is wasteful of his confession by an evil conversation, and blots his life by a vile unholiness; if, in fine, deserting that Church in which he had become a Confessor, and rending the concord of unity, he transforms what was faith before, into faithlessness afterwards, he must not flatter himself on the score of his Confession, that he is one elected to the reward of glory, since the desert of punishment is rendered greater on this ground; for the Lord chose Judas among the Apostles, and yet Judas afterwards betrayed the Lord.

18. The faith and firmness of the Apostles did not thereupon fall, because the traitor Judas was a deserter from their fellowship; and thus neither here is the sanctity and dignity of Confessors forthwith impaired, because the faith of certain of them is broken. The

blessed Apostle in his Epistle thus speaks; *For what if some did not believe? shall their unbelief make the faith of God without effect? God forbid: yea, let God be true, but every man a liar.* The larger and better part of the Confessors stands in the strength of their faith, and in the truth of the law and discipline of the Lord. Neither do they depart from the peace of the Church, who bear in mind that in the Church they gained grace from God's bounty; but hereby they reach a higher praise of faith, because that separating from the faithlessness of persons, who were fellows with them in Confession, they withdrew from the contagion of guilt; and illuminated by the true light of the Gospel, overshone with pure and white brightness of the Lord, they have praise in keeping Christ's peace, not less than their victory, in combating the Devil.

19. It is my desire, dearest brethren, it is the end both of my endeavours and exhortations, that, if it be possible, no one of the Brethren may perish, but our rejoicing Mother may fold within her bosom the one body of a people agreeing together: but if saving counsel cannot recal to the way of salvation certain leaders of schisms and authors of dissensions, who abide on in their blind and obstinate madness, yet do the rest of you who are either betrayed through simplicity, or drawn on by error, or deceived through some artfulness of a cunning craftiness, release yourselves from the toils of deceitfulness, free your wayward steps from their wanderings, submit to that straight path which leads to heaven! It is the word of the Apostle uttering witness; *We command you,* he says, *in the Name of our Lord Jesus Christ, that ye withdraw yourselves from every brother that walketh disorderly, and not after the tradition that he hath received from us.* And again he says,*Let no man deceive you with vain words; for because of these things cometh the wrath of God upon the children of disobedience. Be not ye therefore partakers with them.* We must withdraw from them that go astray, nay rather must flee from them, lest any joining himself with those who walk evilly, and going in ways of error and guilt, should himself lose the true path, and be found in an equal guilt. There is One God, and One Christ, and His Church One, and his Faith One, and a people joined in solid oneness of body by a cementing concord. Unity cannot be sundered, nor can one body be divided by a dissolution of its structure, nor be cast piecemeal abroad with vitals torn and lacerated. Parted from the womb, nothing can live and breathe in its separated state; it loses its principle of health.

The Holy Spirit Warns us and says, *What man is he that lusteth to live, and would fain see good days? Refrain thy tongue from evil, and thy lips that they speak no guile. Eschew evil and do good, seek peace and ensue it.* Peace ought the son of peace to seek and to ensue; he who understands and cherishes the bond of charity, should refrain his tongue from the evil of dissent. Amongst His divine commands and saving instructions, the Lord now nigh to passion spoke this beside; *Peace I leave with you, My peace I give unto you.* This is the legacy which Christ has given us; all the gifts and rewards which He foretokens to us, He promises to the preserving of peace. If we are Christ's heirs, let us abide in the peace of Christ; if we are sons of God we ought to be peacemakers; *Blessed,* He says, *are the peacemakers, for they shall be called the sons of God.* The sons of God ought to be peacemakers, mild in heart, simple in word, agreed in feelings, faithfully entwining one with another in links of unanimity. Under the Apostles of old there was this oneness of mind; it was thus that the new congregation of believers, keeping the commandments of the Lord, preserved its charity. Divine Scripture proves it, which says, *The multitude of them that believed were of one heart and of one soul:* and again; *These all continued with one mind in prayer with the women, and Mary the Mother of Jesus, and with His brethren.* Therefore they prayed with effectual prayers, and were with confidence enabled to obtain whatsoever they required of the Lord's mercy.

20. But in us unanimity has as greatly fallen away, as has bountifulness in works of charity decayed. Then they gave houses and lands for sale, and laying up for themselves treasures in heaven, offered the price to the Apostles to be distributed for the uses of the needy. But now we give not even the tithes from our property, and while the Lord bids us to sell, we rather buy and heap up. It is thus that the vigour of our faith has waxed faint, and the strength of the believers has languished; and hence the lord, looking to our times, says in His Gospel, *When the Son of Man cometh, shall He find faith on the earth?* We see come to pass that which He foretold. In the fear of God, in the law of righteousness, in love, in good works, our faith is nought. No man from fear of things to come, gives heed to the day of the Lord and the anger of God; none considers the punishments which will come on the unbelieving, and the eternal torments appointed to the faithless. What our conscience would fear if it believed, that, because nowise believing, it fears not: if it believed, it would take heed; if it took heed, it would escape. Let us awaken ourselves, dearest brethren,

what we can, and breaking off the slumber of our old slothfulness, let us be watching, for observance and fulfilment of the Lord's commands. Let us be such as He bade us be when He said, *Let your loins be girded about, and your lamps burning, and ye yourselves like unto men that wait for their Lord, when He will return from the wedding, that when He cometh and knocketh, they may open unto Him: blessed are those servants, whom their Lord, when He cometh, shall find watching.* We need to be girded about, lest when the day of march cometh, He find us hindered and impeded. Let our light shine in good works, let it so beam forth, as to be our guide out of this night below, into the brightness of eternal day. Let us ever in anxiety and cautiousness be awaiting the sudden advent of the Lord, that when He knocketh our faith may be on the watch, and gain from the Lord the reward of its watchfulness. If these commandments are observed, if these warnings and precepts are kept, we can never be overtaken in slumber by the deceit of the Devil, but shall reign, as servants who watch, in the kingdom of Christ.

OXFORD TRANSLATION.

ASCETICISM

ORIGIN OF ASCETICISM

THOSE who at this period had embraced monasticism, manifested the glory of the church, and evidenced the truth of their doctrines, by their virtuous line of conduct. Indeed, the most useful thing that has been received by man from God in their philosophy. They neglected many branches of mathematics and the technicalities of dialects, because they regarded such studies as superfluous, and as a useless expenditure of time, seeing that they contribute nothing towards the better regulation of life and conduct. They applied themselves exclusively to the cultivation of natural and useful science, in order that they might mitigate if not eradicate evil. They invariably refrained from accounting action or principle as good which occupies a middle place between virtue and vice, for they delighted only in what is good and virtuous. They regarded every man as wicked, who, though he

abstain from evil, does not do good. They practiced virtue, not only in word but in deed, and sought not honour of man. They manfully subjugated the passions of the soul, yielding neither to the necessities of nature, nor to the weakness of the body. Being strengthened by Divine assistance, they lived in ceaseless contemplation of the Creator, night and day worshipping him, and offering up prayers and supplications. Pure in heart and blameless in conduct, they faithfully performed their religious duties, and despised such outward observances as lustrations and instruments of sprinkling, for they believed that sin alone requires purging. They lived above the reach of the external casualties to which we are liable, and held, as it were, all things under their control; and were not therefore diverted from the path they had selected by the accidents of life or by the force of necessity. They never revenged themselves when injured, nor complained when suffering from disease or privations, but rather rejoiced in such trials, and endured them with patience and meekness. They accustomed themselves to be content with little, and approximated as nearly to God as is possible to human nature. They regarded this life only as a journey, and were not therefore solicitous about acquiring wealth, or amassing more than necessity required. They admired the beauty and simplicity of nature, but their hope was placed in heaven and the blessedness of the future. Wholly absorbed in the worship of God, they revolted from obscene language; and as they had banished evil practices, so they would not allow such things to be even named. They limited, as far as possible, the demands of nature, and compelled the body to be satisfied with moderate supplies. They overcame intemperance by temperance, injustice by justice, and falsehood by truth, and attained the happy medium in all things. They dwelt in harmony and fellowship with their neighbours. They provided for their friends and strangers, imparted to those who were in want, according to their need, and comforted the afflicted. As they were diligent in all things, and zealous in seeking the supreme good, their instructions, though clothed in modesty and prudence, and devoid of vain and meritricious eloquence, possessed power, like sovereign medicines, in healing the moral diseases of their audience; they spoke, too, with fear and reverence, and eschewed all strife, raillery, and anger. Indeed, it is but reasonable to suppress all irrational emotions, and to subdue carnal and natural passions. Elias the prophet and John the Baptist were the authors, as some say, of this sublime philosophy. Philo the Pythagorean relates, that in his time the most virtuous of the Hebrews assembled from all

parts of the world, and settled in a tract of country situated on a hill near Lake Mareotis, for the purpose of living as philosophers. He describes their dwellings, their regulations, and their customs, as similar to those which we now meet with among the monks of Egypt. [See account in Vol. III. The sect was neither Jew nor Christian.] He says that from the moment they began to apply to the study of philosophy, they gave up their property to their relatives, relinquished business and society, and, quitting the cities, dwelt in fields and gardens. They had also, he informs us, sacred edifices which were called monasteries, in which they dwelt apart and alone, occupied in celebrating the holy mysteries, and in worshipping God with psalms and hymns. They never tasted food before sunset, and some only took food every third day, or even at longer intervals. Finally, he says that on certain days they lay on the ground and abstained from wine and the flesh of animals; that their food was bread, salt, and hyssop, and their drink, water; and that there were aged virgins among them, who, for the sake of philosophy, had refrained from marriage. In this narrative, Philo seems to describe certain Jews who had embraced Christianity, and yet retained the customs of their nation, for no vestiges of this manner of life are to be found elsewhere; and hence I conclude that this philosophy flourished in Egypt from this period. Others, however, assert that this mode of life originated from the persecutions for the sake of religion which arose from time to time, and by which many were compelled to flee to the mountains and deserts and forests, and adopt these customs.

Whether the Egyptians or others are to be regarded as the founders of this philosophy, it is universally admitted that it was carried to perfection by Anthony, an ascetic, virtuous, and renowned monk. His fame was so widely spread throughout the deserts of Egypt, that the emperor Constantine sought his friendship, entered into epistolary correspondence with him, and urged him to proffer any request that he might desire. He was an Egyptian by birth, and belonged to an illustrious family of Coma, a village situated near the town, called by the Egyptians Heraclea. He was but a youth when he lost his parents; he bestowed his paternal inheritance upon his fellow-villagers, sold the rest of his possessions, and distributed the proceeds among the needy; for he was aware that philosophy does not merely consist in the relinquishment of property, but in the proper distribution of it. He obtained the acquaintance of the most eminent men of his time, and strove to imitate all the virtues displayed by others. Believing

that the practice of goodness would become delightful by habit, though arduous at the onset, he entered upon a course of rigid and increasing austerity, and day by day his zeal seemed to augment, just as if he were always re-commencing his undertaking. He subdued the voluptuousness of the body by labour, and restrained the passions of the mind by the aid of the Divine wisdom. His food was bread and salt, his drink water, and he never broke his fast till after sunset. He often remained two or more days without eating. He watched, so to speak, throughout the night, and continued in prayer till day-break. If at any time he indulged in sleep, it was but for a little while on a mat spread upon the ground, but generally he lay upon the ground itself. He rejected the practice of anointing with oil, and of bathing, regarding such habits as likely to relax the body by moisture; and it is said that he never at any time saw himself naked. He neither possessed nor admired learning, but he valued a good understanding, as being prior to learning, and as being the origin and source of it. He was exceedingly meek and philanthropic, prudent and manly; cheerful in conversation and friendly in disputations, even when others used the controverted topics as occasion for strife. He possessed so much skill and sagacity, that he restored moderation, and stilled altercations at their very commencement, and tempered the ardour of those who conversed with him. Although, on account of his extraordinary virtues, he received the gift of foretelling future events, he never regarded this power as being superior to virtue, nor did he counsel others to seek this gift rashly, for he considered that no one would be punished or rewarded according to his ignorance or knowledge of futurity: for true blessedness consists in the service of God, and in obeying his commands. "But," said he, "if any man would know the future, let him seek spiritual purification, for then he will have power to walk in the light, and to foresee things that are to happen, for God will reveal the future to him." He never suffered himself to be idle, but exhorted all those who seemed disposed to lead a good life to diligence in labour, to self-examination and confession of sin before Him who created the day and the night; and when they erred, he urged them to record the transgression in writing, that so they might be ashamed of their sins, and be fearful lest they should come to the knowledge of others. He zealously defended those who were oppressed, and in their cause often resorted to the cities; for many came out to him, and compelled him to intercede for them with the rulers and men in power. All the people honoured him, listened with avidity to his discourses, and yield-

ed assent to his arguments; but he preferred to remain unknown and concealed in the deserts. When compelled to visit a city, he never failed to return to the deserts as soon as he had accomplished the work he had undertaken; for he said, that as fishes are nourished in the water, so the desert is the world prepared for monks; and as fishes die when thrown upon dry land, so monks lose their gravity in the world. His deportment was polite and courteous towards all, and free from the very appearance of pride. I have given this concise account of the manners of Antony, in order that an idea of his philosophy may be formed, by analogy, from the description of his conduct in the desert.

He had many renowned disciples, of whom some flourished in Egypt, and others in Libya, Palestine, Syria, and Arabia; like their master, they all dwelt in solitude, and subjugated themselves, and they instructed others in philosophy and virtue. But it would be difficult to find the disciples of Antony or their successors, for they sought concealment more earnestly than many ambitious men, by means of pomp and show, now seek popularity and renown.

We must relate, in chronological order, the history of the most celebrated disciples of Antony, and particularly that of Paul, surnamed the Simple. It is said that he dwelt in the country, and was married to a beautiful woman, and that, having surprised her in the act of adultery, he declared, with a smiling and placid countenance, that he would live with her no longer; that he left her with the adulterer, and went immediately to join Antony in the desert. It is further related, that he was exceedingly meek and patient; and that, being aged and unaccustomed to monastic severity, Antony put his strength to the proof by various trials; and that, having given evidence of perfect philosophy, he was sent to live alone, as no longer requiring a teacher. And God himself confirmed the testimony of Antony; for Paul manifested his illustrious character by his wonderful works and by his power in expelling demons, in which he even surpassed his teacher.

It was about this period that Ammon the Egyptian embraced philosophy. It was said that he was compelled to marry by his family, but that his wife never knew him carnally; for on the day of their marriage, when they were alone, and when he as the bridegroom was leading her as the bride to his bed, he said to her, "Oh woman! our marriage has indeed taken place, but it is not consummated;" and then he showed her from the Holy Scriptures that it is good to remain a virgin, and entreated that they might live apart. She was convinced by his arguments concerning virginity, but was much dis-

tressed by the thought of being separated from him; and, therefore, though occupying a separate bed, he lived with her for eighteen years, during which time he did not neglect the monastic exercises. At the end of this period, the woman, whose emulation had been strongly excited by his virtues, became convinced that it was not just that such a man should, on her account, live in the domestic sphere; and she considered that it was necessary that each should, for the sake of philosophy, live apart from the other. The husband therefore took his departure, after having thanked God for the counsel of his wife, and said to her, "Do thou retain this house, and I will make another for myself." He retired to a desert place, south of the Mareotic Lake, between Scitis and the mountain called Nitria; and here, during two and twenty years, he devoted himself to philosophy, and visited his wife twice every year. This divine man founded monasteries in the regions where he dwelt, and gathered round him many disciples of note, whom we shall have occasion to mention hereafter. Many extraordinary events happened to him, which have been diligently recorded by the Egyptian monks, for they sought to hand down, in unbroken tradition, the record of the virtues of the ancient ascetics. I have here related a few such facts as have come to my knowledge.

Ammon and his disciple Theodore had once occasion to take a long journey, and on the road found it requisite to cross a watercourse called Lycus. Ammon ordered Theodore to pass over backwards, lest they should witness each other's nudity, and as he was likewise ashamed to see himself naked, he was suddenly, and by a divine impulse, seized and carried over, and landed upon the opposite bank. When Theodore had crossed the water, he perceived that the clothes and feet of the elder were not wet, and inquired the reason; not receiving a reply, he expostulated strongly on the subject, and at length Ammon, after stipulating that it should not be mentioned during his lifetime, confessed the fact.

Here follows another miracle of the same nature. Some wicked people having brought to him their son, who had been bitten by a mad dog, and was nigh unto death, in order that he might heal him, he said to them: "Your son does not require my interposition; restore to your masters the ox you have stolen, and he will be healed." And the result was even as had been predicted, for the ox was restored and the malady of the child removed. It is said that, when Ammon died, Antony saw his spirit ascending into heaven and surrounded

by heavenly beings, singing hymns; Antony regarded this wonderful spectacle with intense amazement, and on being questioned by his companions as to the cause of his evident astonishment, he did not conceal the matter from them. A short time after, certain persons came from Scitis, bringing the intelligence of Ammon's death; and the hour in which they stated this event to have taken place was precisely that which had been indicated by Antony. Thus, as is testified by all good men, each of these holy persons was blessed in a special manner: the one, by being released from his life; the other, by being accounted worthy of witnessing so miraculous a spectacle as that which God showed him, for Antony and Ammon lived at a distance of many days' journey from each other, and the above incident is corroborated by those who were personally acquainted with them both.

I am convinced that it was likewise during this reign that Eutychius embraced philosophy. He fixed his residence in Bithynia, near Olympus. He belonged to the sect of the Novatians, and was a partaker of divine grace; he healed diseases, and wrought miracles, and the fame of his virtuous life induced Constantine to seek his intimacy and friendship. It so happened that, about this period, a certain person, who was suspected of plotting against the emperor, was apprehended near Olympus, and imprisoned. Eutychius was besought to intercede on his behalf with the emperor, and, in the meantime, to direct that the prisoner's chains might be loosened, lest he should perish beneath their weight. It is related that Eutychius accordingly sent to the officers who held the man in custody, desiring them to loosen the chains; and that, on their refusal, he went himself to the prison, when the doors, though fastened, opened of their own accord, and the bonds of the prisoner fell off. Eutychius afterwards repaired to the emperor, who was then residing at Byzantium, and easily obtained a pardon, for Constantine esteemed him too highly to refuse his requests.

I have now given in a few words the history of the most illustrious professors of the monastic philosophy. If any one desires further or more exact information, he will find it in the numerous works on the subject which have been issued.—Sozomen, Eccles. Hist., I. 12-14.

SIMEON THE STYLITE

In these times flourished and became illustrious Simeon, of holy and famous memory, who originated the contrivance of stationing himself on the top of a column, thereby occupying a spot of scarce two cubits in circumference. Domnus was then bishop of Antioch; and he, having visited Simeon, and being struck with the singularity of his position and mode of life, was desirous of more mystic intercourse. They met accordingly, and having consecrated the immaculate body, imparted to each other the life-giving communion. This man, endeavoring to realize in the flesh the existence of the heavenly hosts, lifts himself above the concerns of earth, and, overpowering the downward tendency of man's nature, is intent upon things above: placed between earth and heaven, he holds communion with God, and unites with the angels in praising him; from earth, offering his intercessions on behalf of men, and from heaven, drawing down upon them the Divine favour. An account of his miracles has been written by one of those who were eye-witnesses, and an eloquent record by Theodoret, bishop of Cyrus: though they have omitted a circumstance in particular, the memory of which I found to be still retained by the inhabitants of the holy desert, and which I learnt from them as follows. When Simeon, that angel upon earth, that citizen in the flesh of the heavenly Jerusalem, had devised this strange and hitherto unknown walk, the inhabitants of the holy desert send a person to him, charged with an injunction to render a reason of this singular latitude, namely, why, abandoning the beaten path which the saints had trodden, he is pursuing another altogether unknown to mankind; and, further, that he should come down and travel the road of the elect fathers. They, at the same time, gave orders, that, if he should manifest a perfect readiness to come down, liberty should be given him to follow out the course he had chosen, inasmuch as his compliance would be sufficient proof that under God's guidance he persevered in this his endurance: but that he should be dragged down by force, in case he should manifest repugnance, or be swayed by self-will, and refuse to be guided implicitly by the injunction. When the person, thus deputed, came and announced the command of the fathers, and Simeon, in pursuance of the injunction, immediately put one foot forward, then he declared him free to

fulfil his own course, saying, "Be stout, and play the man: the post which thou hast chosen is from God." This circumstance, which is omitted by those who have written about him, I have thus thought worthy of record. In so great a measure had the power of divine grace taken possession of him, that, when Theodosius had issued a mandate, that the synagogues of which they had been previously deprived by the Christians, should be restored to the Jews of Antioch, he wrote to the emperor with so much freedom and vehement rebuke, as standing in awe of none but his own immediate Sovereign, that Theodosius re-called his commands, and in every respect favoured the Christians, even superseding the prefect who had suggested the measure. He further proceeded to prefer a request to this effect, to the holy and aërial martyr, that he would entreat and pray for him, and impart a share of his own peculiar benediction. Simeon prolonged his endurance of this mode of life through fifty-six years, nine of which he spent in the first monastery, where he was instructed in divine knowledge, and forty-seven in the Mandra, as it is termed; namely, ten in a certain nook; on shorter columns, seven; and thirty upon one of forty cubits. After his departure, his holy body was conveyed to Antioch, during the episcopate of Martyrius, and the reign of the emperor Leo, when Ardabyrius was in command of the forces of the East, on which occasion the troops, with a concourse of their followers and others, proceeded to the Mandra, and escorted the venerable body of the blessed Simeon, lest the inhabitants of the neighbouring cities should muster and carry it off. In this manner it was conveyed to Antioch, and attended during its progress by extraordinary prodigies. The emperor also demanded possession of the body; and the people of Antioch addressed to him a petition in deprecation of his purpose, in these terms: "Forasmuch as our city is without walls, for we have been visited in wrath by their fall, we brought hither the sacred body to be our wall and bulwark." Moved by these considerations, the emperor yielded to their prayer, and left them in possession of the venerable body. It has been preserved nearly entire to my time: and, in company with many priests, I enjoyed the sight of his sacred head, in the episcopate of the famous Gregory, when Philippicus had requested that precious relics of saints might be sent to him for the protection of the Eastern armies. And, strange as is the circumstance, the hair of his head had not perished, but is in the same state of preservation as when he was alive and sojourning with mankind. The skin of his forehead, too, was wrinkled and indurated, but is

nevertheless preserved, as well as the greater part of his teeth, except such as had been violently removed by the hands of faithful men, affording by their outward form an indication of the personal appearance and years of the man of God. Beside the head lies the iron collar, to which, as the companion of its endurance, the famous body has imparted a share of its own divinely-bestowed honours; for not even in death has Simeon been deserted by the loving iron. In this manner would I have detailed every particular, thereby benefiting both myself and my readers, had not Theodoret, as I said before, already performed the task more fully.

Let me, however, add a record of another circumstance which I witnessed. I was desirous of visiting the precinct of this saint, distant nearly thirty stadia from Theopolis, and situated near the very summit of the mountain. The people of the country give it the title of Mandra, a name bequeathed to the spot, as I suppose, by the holy Simeon, in respect of the discipline which he there had practiced. The ascent of the mountain is as much as twenty stadia. The temple is constructed in the form of a cross, adorned with colonnades on the four sides. Opposite the colonnades are arranged handsome columns of polished stone, sustaining a roof of considerable elevation; while the centre is occupied by an unroofed court of the most excellent workmanship, where stands the pillar, of forty cubits, on which the incarnate angel upon earth spent his heavenly life. Adjoining the roof of the colonnades is a balustrade, termed by some persons windows, forming a fence towards both the before-mentioned court and the colonnades. At the balustrade, on the left of the pillar, I saw, in company with all the people who were there assembled, while the rustics were performing dances round it, a very large and brilliant star, shooting along the whole balustrade, not merely once, twice, or thrice, but repeatedly; vanishing, moreover, frequently, and again suddenly appearing: and this occurs only at the commemorations of the saint. There are also persons who affirm—and there is no reason to doubt the prodigy, considering the credibility of the vouchers, and the other circumstances which I actually witnessed—that they have seen a resemblance of the saint's face flitting about here and there, with a long beard, and wearing a tiara, as was his habit. Free ingress is allowed to men, who repeatedly compass the pillar with their beasts of burden: but the most scrupulous precaution is taken, for what reason I am unable to say, that no woman should enter the sacred building; but they obtain a

view of the prodigy from the threshold without, since one of the doors is opposite to the star's rays.

In the same reign Isidore was also conspicuous: "wide whose renown," according to the language of poetry; having become universally celebrated by deed and word. To such a degree did he waste his flesh by severe discipline, and feed his soul by elevating doctrine, as to pursue upon earth the life of angels, and ever a living monument of monastic life and contemplation of God. Besides his numerous other writings, well stored with various profit, there are some addressed to the renowned Cyril; from which it appears that he flourished contemporary with the divine bishop. And now, while endeavouring to give every attraction to my work, let me also bring upon the scene Synesius of Cyrene, whose memory will add an embellishment to my narrative. This Synesius, while possessed of every other kind of learning, carried the study of philosophy, in particular, to its highest pitch; so as to gain the admiration even of those Christians whose decision upon things which fall under their observation is not guided by favouring or adverse prejudice. They, accordingly, persuade him to resolve on partaking of the saving regeneration, and to take upon himself the yoke of the priesthood, while as yet he did not admit the doctrine of the resurrection, nor was inclined to hold that tenet; anticipating, with well-aimed conjecture, that this belief would be added to his other excellencies, since Divine grace is never content to leave its work unfinished. Nor were they disappointed in their expectation: for his epistles, written after his accession to the priesthood, and composed with elegance and learning, as well as his discourse addressed to Theodosius himself, and whatever is extant of his valuable writings, sufficiently show how excellent and great a man he was.

At the same period also took place the translation of the divine Ignatius, as is recorded, with other matters, by John the rhetorician; who having found a tomb, as he himself desired, in the bowels of the wild beasts, in the amphitheatre of Rome, had, nevertheless, through the preservation of the more solid bones, which were conveyed to Antioch, long reposed in what is called the cemetery: the good God having moved Theodosius to dignify the bearer of the name Theophorus with increased honours, and to dedicate a temple, long ago devoted to the demons, and called by the inhabitants Tychæum, to the victorious martyr. Thus, what was formerly the shrine of Fortune, became a sanctuary and holy precinct for Ignatius, by depositing there his sacred remains which were conveyed on a car through the city, attended by a

solemn procession. From this event arose the celebration of a public festival, accompanied with rejoicings of the whole population; which has continued to our times, and received increased magnificence at the hands of the prelate Gregory. Such results were brought about by the conspiring agency of friends and foes, while God was decreeing honour to the holy memories of the saints. For the impious Julian, that heaven-dested power, when the Daphnæan Apollo, whose prophetic voice proceeded from the Castalian fount, could give no response to the emperor's consultation, since the holy Babylas, from his neighbouring resting-place, restrained his utterance; was goaded on to be an unwilling instrument in honouring that saint by a translation; on which occasion was also erected to him, outside the city, a spacious temple, which has remained entire to the present day: the object of the removal being that the demons might no longer be overawed in the pursuit of their own practices, the performance of which, as is said, they had previously promised to Julian. Thus were events disposed by the providence of God, in his design that both the power of those who were dignified by martyrdom should be clearly manifested, and the sacred relics of the holy martyr should be transferred to sacred ground, and be honoured with a noble precinct.—Eusebius, Ecclesiastical History, I. 13-16.

SUPPRESSION OF HERESY AND HEATHENISM

LETTER OF ST. AMBROSE TO VALENTINIAN

Ambrose, bishop, to the most blessed prince and clement emperor, Valentinian Augustus.

When that most illustrious man, Symmachus, prefect of the city, urged it upon your clemency that the altar which was taken away from the Senate chamber of the city of Rome should be restored to its place, and you, emperor, although still young in experience and years, yet a veteran in the power of faith, did not grant the prayer of the brethren; I presented at the very moment I heard of it, a little work, in which, although I included such suggestions as seemed nec-

essary, yet I asked that a copy of the memorial might be given to me.

2. And so, not as one doubtful of your faith, but rather foreseeing the need of care, and sure of a kindly consideration, I reply in this letter to the claim of the memorial, asking only that you look not at elegancies of expression, but at the force of facts. For the speech of men wise in letters, as the divine scripture teaches, is golden, and, being enriched with jewelled words and shining with the brilliancy of glowing eloquence, it fascinates the eyes of the mind by its appearance of beauty and dazzles with its form. But if you handle this gold carefully, you discover it is precious on the outside but only common metal within. Consider, I beseech you, and examine the sect of the heathen; their speech sounds precious and grand, but they defend things empty of truth; they speak of God, they worship an idol.

3. That most illustrious prefect of the city set forth three arguments which he considered of great weight; that Rome, as he says, desires her old worship again, that compensation should be given to her priests and vestal virgins, and that public famine would follow up the denial of payment to the priests.

4. In the first proposition, Rome bemoans herself in tearful complaining, asking, as he says, for the forms of her old ceremonies. These sacred rites, he says, repulsed Hannibal from the walls, and the Senones from the capitol. Thus at the same time that the power of the sacred rites is proclaimed, their weakness is betrayed. For Hannibal long insulted the sacred rites of Rome, and in spite of the gods fighting against him, came in his conquest to the very walls of the city. How was it that those for whom the arms of their gods were fighting, were suffered to be besieged?

5. And why should I mention the Senones, whom the remnant of the Romans could not have prevented from penetrating the very inmost parts of the capitol, if a goose had not betrayed their presence by its terrified cackling.

6. But why should I deny that the services of their worship benefited the Romans? For Hannibal worshipped the same gods; so let them choose which they will: if their sacred rites conquered in the Romans, they were defeated in the Carthaginians; if they were victorious in the person of the Carthaginians, they were surely of no help to the Romans.

7. So let that querulous complaint of the Roman people cease; Rome has not demanded it. She appeals to them with other words:

"Why do you daily stain me with the cruel blood of the innocent flock. Trophies of victory are not found in the entrails of cattle, but in the strength of warriors. By a different discipline have I subjugated the world. Camillus fought for me, he who brought back to the capitol the captured standards, and slew the victors of the Tarpeian rock; valor overthrew the foe whom religion had not kept off. What shall I say of Attilius, who gave the service even of death? Africanus won his triumph not at the altars of the capitol, but in the midst of the lines of Hannibal. Why do you proffer the example of the ancients? I abhor the rites of the Neroes. Why should I speak of the emperors of two months, and the deaths of rulers following close upon the beginning of their reign? Or perchance there is something new in the crossing of its frontiers by barbarians. Were they Christians, too, who by a new and wretched example demonstrated that their ceremonies which promised victory had deceived them, the one a captured emperor, and under the other, a captive world? Was there at that time no altar to victory? I mourn for my fallen state, my old age blushes for the shameful bloodshed. I do not blush that I am converted along with the whole world now that I am old. Surely no age is too old to learn. Let that old age blush, which is not able to mend its ways. It is not the old age of years that deserves praise, but the old age of good morals. There is no shame in turning to better things. I have this alone in common with the barbarians, that formerly I knew not God. The ceremony of your sacrifice is the sprinkling with the blood of beasts. Why do you seek the Word of God in slain cattle? Come, learn the heavenly warfare on earth; we live here, but we fight there. Let God Himself Who created me teach me the mystery of heaven; not man, who knows not even himself. Whom will I believe concerning God rather than God Himself? How can I believe you who confess that you know not what you worship?"

8. It is not possible, he (Symmachus) says, to arrive at the understanding of so great a secret by one road. But what you are ignorant of, we have known by the voice of God; and what you seek after by vague feeling, we have found by means of the very wisdom and truth of God. Therefore your ways are not compared to ours. You pray the emperors for peace for your gods, we pray to Christ for peace for the emperors themselves. You adore the works of your own hands, we hold it an insult that anything made by hands should be considered as God. God wishes not to be worshipped in stones.

Even your philosophers have laughed at that.

9. But if you deny Christ is God, because you do not believe he is dead (for you do not understand that that death was of the body, not of the divinity which has now brought it about that no one of the believers should die), what can be more foolish, for you worship with insult, and you dishonor with honor. You think your God is made of wood, an insulting reverence; you think Christ could not die, a reverential perversity.

10. But, he says, the old altars should be restored to the images, and the old ornaments to the shrines. Let them be demanded from a partaker in superstition, the Christian emperor knows how to honor the altar of Christ alone. Why do they force pious hands and faithful lips to do the service of their sacrilege? Let the voice of our emperor speak of Christ, and call upon Him alone whom he knows; for "the king's heart is in the hand of the Lord." Did a heathen emperor ever raise an altar to Christ? Even when they demand again the things which have been, they show by their example how great reverence Christian emperors ought to show to their religion, since the heathen emperors offered everything to their superstitions.

We glory in the blood that we have poured forth, they are distressed by a matter of expense. We count these things victories, they think them an injury. Never did they do more for us than when they ordered Christians to be beaten and proscribed and slain. Religion has made a reward of that which unbelief thinks to be a punishment. Behold their magnanimity! We have increased through injury, through want, through punishment; they do not believe their worship can be kept up without contributions.

11. Let the vestal virgins, he says, have their privileges. They would say this who cannot believe that virginity can be a free offering; they entice with rewards, who are distrustful of virtue. But how many virgins have their promised rewards gained! Scarcely seven vestal virgins are received. Lo, this is the whole number that the chaplets and fillets for the head, the colors of purple robes, the pomp of the litter surrounded by a troop of servants, the greatest privileges, immense profits, and a limited time of virginity have been able to bring together.

12. Let them lift up the eyes of mind and body, and see a populace of modesty, a people of integrity, an assemblage of virginity. No fillets adorn their heads but a veil common in use, but made noble

by charity; the enticement of beauty is not sought for, but renounced; no purple insignia, no luxury of delicacies are theirs, but the practice of fasting; they have no privileges, no rewards; all things which you would think would prevent their enjoyment are put away while they practice their duties. But the practice of their duties gives them enjoyment. This charity increases with their discomforts. That is not purity which is bargained for at auction for money for a set time. The first triumph of chastity is to conquer the desire for riches, for the love of gain is a temptation to modesty. Let us grant, however, that bounties should be given to virgins; what payments will be made to Christians? What treasury can supply so great resources? Or if they think this should be given only to vestal virgins, does it not shame them that they who claimed everything for themselves under heathen emperors do not allow us to have a common share under Christian emperors?

13. They complain also that public support is not considered due to their priests and ministers. What a tumult of words has burst forth about this! But on the other hand even the favor of private succession has been denied us by recent laws, and no one complained; for we do not count it an injury, since we do not mourn the loss. If a priest seeks release from municipal burdens, he must give up his ancestral and all other property. How the heathen, if they had to suffer this, would make complaint that a priest had to purchase freedom for his service by the loss of his patrimony and by the right to practice his public service at the expense of all his private means: and that, offering the vigils for public safety, he is rewarded by private want, because he did not sell his service, but bought a favor.

14. Compare the cases. You are willing to excuse a decurio [from municipal burdens] although the church may not excuse a priest. Bequests are made to ministers of the temples, no one is excepted, whether profane, or of lowest rank, or shamelessly immodest; only the priest, by whom alone common prayer is offered for all, the public office performed for all, is excluded from the enjoyment of their common right: no legacies from sedate widows, no gifts are allowed. So when no fault is found in the character, a penalty is prescribed for the office. What a Christian widow leaves to the priest of a heathen temple is valid; what she leaves to the servants of God is not valid. I do not say this to complain, but that they may know of what things I do not complain. I prefer to be poor in money than in grace.

17. See, they say, a public famine has avenged this impious deed, namely, that the supplies for the support of the priests have been turned to the common use of all. On account of this, they say, was the bark torn from the bushes, and the sap sucked up eagerly by the lips of fainting men. On this account did they substitute the Chaonian acorn for grain and return to the food of cattle and the nourishment of wretched provisions, and solace their hunger in the woods by shaking the oaks. Forsooth there were new prodigies on the earth, which had never happened before, while the superstition of the heathen was in force in the whole world? Verily, when before did the crop mock the prayers of the eager farmer with empty straw, and the stalk of grain sought in the furrows deceive the hope of the countrymen.

19. But surely it is now many years since the rights of the temple have been taken away throughout the whole world; has it just now come to the minds of the heathen gods to avenge their wrongs? On this account did the Nile fail to overflow its accustomed course; to avenge the losses of the priests of the city, when it had not avenged the wrongs of its own priests?

20. But if they think the injuries of their gods were revenged in the past year, why are they ignored this year? For now the rural peoples are not feeding on roots torn up from the ground, nor are they seeking refreshment from the berries of the woods, nor plucking their food from thorns; but joyful in their successful labors, and wondering at their harvest, they have made up for their hunger by the satisfaction of all their desire; and earth has given up her produce with usury.

22. There remains the last and most important point: whether, oh emperors, you ought to restore these helps which have profited you: for he says: "Let them defend you, and be worshipped by us." This is the thing, most faithful prince, that we cannot endure: that they should taunt us that they pray to their gods in your name, and thus commit sacrilege without your command, interpreting your silence for consent. Let them have their own protecting gods, and let these defend them if they can. For if they cannot give help to those by whom they are worshipped, how shall they aid you who do not worship them?

23. But the ceremonies of the ancients, he says, ought to be preserved. But why so, if all things have progressed into something better? The world itself, which at first grew out of the germs of the elements brought together into an unstable sphere in the void, and was involved in the confused darkness of the work as yet without order;

did it not afterwards receive the form of things, when the sky, sea and earth were separated? The lands freed from the misty darkness smiled back at the new sunlight. Daylight does not break forth in splendor at the dawn, but as time proceeds shines with increasing light and glows with increasing warmth.

30. If the old rites were so pleasing, why did Rome herself take up foreign ones? I pass over the question of the ground covered with costly buildings, and the shepherd's huts gleaming with ignoble gold. To reply to the one thing they complain of, why have they eagerly received the images of captured cities, the conquered gods, and foreign ceremonies from the rites of an alien superstitition? Whence now is the example of Cybele washing her chariots in a river pretended to be the Almo? Whence came the Phrygian seers, and the divinities of unrighteous Carthage, always hated by the Romans? And whence came her worship whom the African worship as Colleste, the Persians as Mithra, and most people as Venus, according to a variety of name but not of divinity. So they believed victory to be a goddess, which is a gift, not a power; it is given, it does not rule; it is the gift of legions, not the force of religions. Is she a great goddess, whom the mob of soldiers claim for themselves, or whom the outcome of battles establishes?

31. They ask that her altar be set up in the Senate chamber of the city of Rome, where most of those who gather there are Christians. In all the temples are altars, and an altar is in the temple of Victories. Since they delight in numbers, they celebrate their sacrifices everywhere. Why do they claim a sacrifice on this altar, unless it be to insult the faith? Must it be borne that a heathen should sacrifice and a Christian be present?

32. Where, he asks, shall we swear to obey your laws and your commands? Does then your purpose which is included in the laws receive assent and faithful observance by means of heathen rites? The faithfulness of the absent as well as of the present is attacked, and what is more your authority is attacked, oh emperors, for your command compels obedience. Constantius of august memory, although not yet initiated into the sacred mysteries, thought he would be contaminated if he saw that altar there. He ordered it to be taken, and did not order it to be restored. The first action has the authority of an act, the second has not that of a command.

39. I have answered those who attack me not as one attacked; for it was my purpose to answer the memorial, not to expose the folly

of superstitition. But let their memorial, oh emperor, make you more cautious. For when they have told of the former princes, that the first part of them kept up the rites of the fathers, and the later part did not put them away, and have added that if the religion of the ancients did not form a precedent, at least the connivance of the later ones did; they teach you plainly what you owe to your faith, that is, not to follow the example of heathen rites; and what you owe to affection, that is, not to violate the decrees of your brother. For if for their part they have praised only the dissimulation of the princes who, although Christians did not abolish heathen decrees, how much more ought you to defer to brotherly love, to the extent that you, who should overlook some things which you do not approve lest you detract from the statutes of your brothers, should also hold to that which you judge to be consistent with your faith and the bond of brotherhood.—St. Ambrose, Epist. XVIII.

TRANSLATION OF E. H. MC NEAL.

ENACTMENTS FROM THE CODEX THEODOSIANUS

Let the course of all law suits and all business cease on Sunday, which our fathers have rightly called the Lord's day, and let no one try to collect either a public or a private debt; and let there be no hearing of disputes by any judges either those required to serve by law or those voluntarily chosen by disputants. And he is to be held not only infamous but sacrilegious who has turned away from the service and observance of holy religion on that day.—Codex Theodosianus, XI. 7, 13. Time of Emperors Gratian, Valentinian and Theodosius.

On the Lord's day, which is the first day of the week, on Christmas, and on the days of Epiphany, Easter, and Pentecost, inasmuch as then the [white] garments [of Christians] symbolizing the light of heavenly cleansing bear witness to the new light of holy baptism, at the time also of the suffering of the apostles, the example for all Christians, the pleasures of the theaters and games are to be kept from the people in all cities, and all the thoughts of Christians and believers are to be occupied with the worship of God. And if any are kept from that worship through the madness of Jewish impiety or the error and insanity of foolish paganism, let them know that there is one time for prayer and another for pleasure. And lest anyone

should think he is compelled by the honor due to our person, as if by the greater necessity of his imperial office, or that unless he attempted to hold the games in contempt of the religious prohibition, he might offend our serenity in showing less than the usual devotion toward us; let no one doubt that our clemency is revered in the highest degree by humankind when the worship of the whole world is paid to the might and goodness of God.—Codex Theod. XV. 5. Time of Emperors Theodosius and Caesar Valentinian.

Bloody spectacles are not suitable for civil ease and domestic quiet. Wherefore since we have proscribed gladiators, those who have been accustomed to be sentenced to such work as punishment for their crimes, you should cause to serve in the mines, so that they may be punished without shedding their blood.—Cod. Theod. XV. 12, 1. Time of Emperor Constantine.

We desire that all the people under the rule of our clemency should live by that religion which divine Peter the apostle is said to have given to the Romans, and which it is evident that Pope Damasus and Peter, bishop of Alexandria, a man of apostolic sanctity, followed; that is that we should believe in the one deity of Father, Son, and Holy Spirit with equal majesty and in the Holy Trinity according to the apostolic teaching and the authority of the gospel.—Cod. Theod. XVI. 1, 2. Time of Emperors Gratian, Valentinian and Theodosius.

It is necessary that the privileges which are bestowed for the cultivation of religion should be given only to followers of the Catholic faith. We desire that heretics and schismatics be not only kept from these privileges, but be subjected to various fines.—Cod. Theod. XVI. 5, 1. Time of Emperor Constantine.

Whenever there is found a meeting of a mob of Manichaeans, let the leaders be punished with a heavy fine and let those who attended be known as infamous and dishonored, and be shut out from association with men, and let the house and the dwellings where the profane doctrine was taught be seized by the officers of the city.—Cod. Theod. XVI. 5, 3. Time of Emperors Valentinian and Valens.

The ability and right of making wills shall be taken from those who turn from Christians to pagans, and the testament of such an one, if he made any, shall be abrogated after his death.—Cod. Theod. XVI. 7, 1. Time of Emperors Gratian, Valentinian, and Valens.

It is decreed that in all places and all cities the temples should be closed at once, and after a general warning, the opportunity of sinning be taken from the wicked. We decree also that we shall cease

from making sacrifices. And if anyone has committed such a crime, let him be stricken with the avenging sword. And we decree that the property of the one executed shall be claimed by the city, and that rulers of the provinces be punished in the same way, if they neglect to punish such crimes.—Cod. Theod. XVI. 10, 4. Time of Emperors Constantine and Constans.

ST. ATHANASIUS

Athanasius was born at Alexandria about 297 A. D., and died in 373 A. D. As an archdeacon and the attendant of the bishop Alexander, he took a prominent part against the Arians at the Council of Nicaea in 325 A. D. From that time during his whole life he struggled for the doctrine of Christ's essential divinity and eternal coexistence with the Father, and his importance as a theologian is that he developed this idea. Five times he was sent into exile and five times returned to power by the swing of the pendulum-like church politics of the Eastern emperors, but he lived to see his idea conquer, and it is to-day an essential part of the Catholic creed.

EXPOSITION OF THE FAITH.

We believe in one unbegotten God, the omnipotent Father, the Creator of all things visible and invisible, who exists of His very Self; and in the one only begotten Word, the Wisdom, the Son, born of the Father without beginning and from eternity: the Word not spoken nor thought of, nor an emanation prom the Perfect, nor a division or projection of the impassive nature; but the Son perfect in Himself, living and doing, the true image of the Father, equal in honor and glory: for this, he says, is the will of the Father, "That as they honor the Father, so they may honor the Son also;" true God from the true God, as John says in the general epistles, "And we are in Him that is true, even in His Son, Jesus Christ: this is the true God, and everlasting life;" omnipotent from the omnipotent, for all things which the Father commands and rules, the Son commands and rules likewise,

who is whole from the whole and like to the Father, as the Lord Himself says: "Who seeth Me seeth the Father." But He was born in a way not to be explained, and not to be understood. For "who can declare His generation?" that is, no one can. When at the end of the ages He had descended from the bosom of the Father, He took upon Himself from the undefiled Virgin Mary, our manhood Jesus Christ, whom He delivered up to suffer for us of His own will, as the Lord says: "No man taketh My life from Me. I have power to lay it down, and have power to take it again." In this manhood He was crucified and died for us; He rose from the dead, and was taken up into heaven. Being made the beginning of ways for us, while on earth He showed us light for darkness, salvation for error, life for the death, and entrance into paradise, from which Adam was cast out, and into which He again entered through the thief, as the Lord says: "This day thou shalt be with Me in Paradise," into which also Paulus himself entered. He has also prepared for us an ascent up to heaven, whither the Lord-man has gone as precursor for us, and where He shall judge the living and the dead.

2. We believe also in the Holy Spirit, searching all things even the deep things of God, and we say anathema to all teachings contrary to this. Neither do we think of a Son-Father as the Satellians do, saying that He is one but not the same essence thus destroying the existence of the Son. Neither do we attribute to the Father the body destined to bear suffering which He took upon Himself for the salvation of the whole world. Neither is it right to think of three persons divided from each other, as is the case with men because of the nature of their bodies, lest we believe in a plurality of gods, as do the heathen; but just as a river which flows from a spring is not separated from it, although there are in fact two visible things and two names, so the Father is not the Son, nor the Son the Father; but the Father is the Father of the Son, and the Son is the Son of the Father. For just as the spring is not the river, nor is the river the spring, but both are one and the same water which flows from the spring into the river, so the divinity flows from the Father into the Son without change or division. Hence the Lord said: "I came out from the Father and I am come." For He is ever with the Father, being in the bosom of the Father, nor was the bosom of the Father ever void of the divinity of the Son, for He says: "I was with him as one setting in order." Nor do we think of Him as made or created, or sprung from nothing, who is God the Creator of all things, the Son of God, the existent from the existent,

the single from the single, whose equal glory and power was begotten from eternity of the Father: for he who seeth the Son, seeth also the Father. For all things were created through the Son, but He Himself was not created, as Paul teaches in these words: "In Him were all things created and He is before all." But he says not that He was created before all things. The phrase "was created" refers to "all things," but the words "is before all" refers only to the Son.

3. He is then the perfect offspring of the Perfect, begotten before all the hills, that is, before all natural things endowed with reason and intelligence, just as Paul elsewhere calls Him "the first-born of all creation." But when he called Him the first-born he meant not that He was not the creature, but the offspring of the Father. It is contrary to His divinity to call Him a created thing. For all things were created by the Father through the Son, but the Son Himself was begotten of the Father from eternity, whence God the Word is the first-born of all creation, immutable from the immutable. So the body which He assumed for our sakes was a created thing, as Jeremiah says, according to the edition of the seventy translation: "The Lord created for us for a planting a new salvation, in which salvation men shall go about." But Aquila interprets it: "The Lord created a new thing in woman." Now the salvation created for us for a planting which is new, not old, for us and not before us, is Jesus, who as Saviour became man; indeed the word Jesus is sometimes rendered salvation, sometimes Saviour. But salvation is from the Saviour, just as illumination from light. So the new salvation created from the Saviour, as Jeremiah says, created a new salvation for us, or as Aquila puts it: "The Lord created a new thing in woman," that is, in Mary. For there was nothing new created in the woman, except the body of the Lord, which the Virgin Mary bore without intercourse, as is said in the proverbs concerning the person of Jesus: "The Lord created Me a beginning of His ways for His works." It does not say, He created Me before His works, lest anyone should refer this to the divinity of the Son.

4. Both things therefore which are said of the created thing, are written of Jesus according to the body. But the Lord's manhood was created as the "beginning of ways," which He manifested to us for our salvation. In Him we have access to the Father through Him; for He is the way which leads to the Father. But a way is a physical thing which is discerned with the eyes, and so also is the Lord's manhood. Therefore, the Word of God, which is not created, but begotten, created all things. For nothing has been or can be created equal or similar to

Him, but it is the work of the Father to beget, of the workman to create. So the thing made and created is that body which the Lord bore for us, as Paul says: "Which was begotten for us, wisdom from God, and sanctification and righteousness and redemption;" although the Word, the Wisdom of the Father, was and is before us and before every created thing. But the Holy Spirit which proceeds from the Father, is always in the hands of the Father who sends, and of the Son who bears it, by whom He has filled all things. The Father, therefore, who continues to exist, so to speak, of Himself, bore and did not create the Son as we have said, as a river from a spring, a branch from a root, brightness from light, things which nature herself knows to be indivisible; through Him be glory to the Father and power and majesty before all ages and unto all the ages of ages. Amen.

ST. AUGUSTINE

Aurelius Augustinus was born of a pagan father and a Christian mother on November 13th, 354 A. D., at Tagaste in Numidia. He describes his own early life in his Confessions. As a youth he studied to be a rhetorician, and became well versed in Latin literature, and probably learned some Greek. Until past his thirtieth year he led the immoral life not uncommon at the time, but was led, first by Plato to higher ideals, and then by St. Ambrose to Christianity. After three years spent in retirement as head of a small monastic society of friends, he was called to be a presbyter at Hippo, and later became Bishop of Hippo.

He opposed the Manichaeans, who believed in two great principles of Good and Evil, similar to those of Zoroaster; the Donatists, who decried the taking back into the Church of the *traditores,* who had surrendered their Bibles under persecution; and the Pelasgians, who believed that Adam's sin was merely personal, and that man is therefore sinless at birth, and infant baptism not essential for salvation. In his City of God he compares the growth of the Roman Empire and of the Christian religion, analyzes the reasons for the success of each, and defends Christianity against the charges of the heathen. We give below his ideas of predetermination and free will, original sin and Divine grace, and the essentials of Christianity, faith, hope, and charity.

GOD'S FOREKNOWLEDGE AND MAN'S FREE WILL

Since, then, it is established that the complete attainment of all we desire is that which constitutes felicity, which is no goddess, but a gift of God, and that therefore men can worship no god save Him who is able to make them happy,—and were Felicity herself a goddess, she would with reason be the only object of worship,—since, I say, this is established, let us now go on to consider why God, who is able to give with all other things those good gifts which can be possessed by men who are not good, and consequently not happy, has seen fit to grant such extended and long-continued dominion to the Roman empire; for that this was not effected by that multitude of false gods which they worshipped, we have both already adduced, and shall, as occasion offers, yet adduce considerable proof.

CHAP. I. THAT THE CAUSE OF THE ROMAN EMPIRE, AND OF ALL KINGDOMS, IS NEITHER FORTUITOUS NOR CONSISTS IN THE POSITION OF THE STARS

The cause, then, of the greatness of the Roman empire is neither fortuitous nor fatal, according to the judgment or opinion of those who call those things *fortuitous* which either have no causes, or such causes as do not proceed from some intelligible order, and those things *fatal* which happen independently of the will of God and man, by the necessity of a certain *order*. In a word, human kingdoms are established by divine providence. And if any one attributes their existence to fate, because he calls the will or the power of God itself by the name of fate, let him keep his opinion, but correct his language. For why does he not say at first what he will say afterwards, when some one shall put the question to him, What he means by *fate?* For when men hear that word, according to the ordinary use of the language, they simply understand by it the virtue of that particular position of the stars which may exist at the time when any one is born or conceived, which some separate altogether from the will of God, whilst others affirm that this also is dependent on that will. But those who are of opinion that, apart from the will of God, the stars determine what we shall do, or what good things we shall possess, or what evils we shall suffer, must be refused a hearing by all, not only by those who hold the true religion, but by those who wish to be the worship-

pers of any gods whatsoever, even false gods. For what does this opinion really amount to but this, that no god whatever is to be worshipped or prayed to? Against these, however, out present disputation is not intended to be directed, but against those who, in defence of those whom they think to be gods, oppose the Christian religion. They, however, who make the position of the stars depend on the divine will, and in a manner decree what character each man shall have, and what good or evil shall happen to him, if they think that these same stars have that power conferred upon them by the supreme power of God, in order that they may determine these things according to their will, do a great injury to the celestial sphere, in whose most brilliant senate, and most splendid senate-house, as it were, they suppose that wicked deeds are decreed to be done,—such deeds as that, if any terrestrial state should decree them, it would be condemned to overthrow by the decree of the whole human race. What judgment, then, is left to God concerning the deeds of men, who is Lord both of the stars and of men, when to these deeds a celestial necessity is attributed? Or, if they do not say that the stars, though they have indeed received a certain power from God, who is supreme, determine those things according to their own discretion, but simply that His commands are fulfilled by them instrumentally in the application and enforcing of such necessities, are we thus to think concerning God even what it seemed unworthy that we should think concerning the will of the stars? But, if the stars are said rather to signify these things than to effect them, so that that *position of the stars* is, as it were, a kind of speech predicting, not causing future things,—for this has been the opinion of men of no ordinary learning,—certainly the mathematicians are not wont so to speak, saying, for example, Mars in such or such a position *signifies* a homicide, but *makes* a homicide. But, nevertheless, though we grant that they do not speak as they ought, and that we ought to accept as the proper form of speech that employed by the philosophers in predicting those things which they think they discover in the position of the stars, how comes it that they have never been able to assign any cause why, in the life of twins, in their actions, in the events which befall them, in their professions, arts, honors, and other things pertaining to human life, also in their very death, there is often so great a difference, that, as far as these things are concerned, many entire strangers are more like them than they are like each other, though separated at birth by the smallest interval of time, but at con-

ception generated by the same act of copulation, and at the same moment?

CHAP. 8. CONCERNING THOSE WHO CALL BY THE NAME OF FATE, NOT THE POSITION OF THE STARS, BUT THE CONNECTION OF CAUSES WHICH DEPENDS ON THE WILL OF GOD

But as to those who call by the name of fate, not the disposition of the stars as it may exist when any creature is conceived, or born, or commences its existence, but the whole connection and train of causes which makes everything become what it does become, there is no need that I should labor and strive with them in a merely verbal controversy, since they attribute the so-called order and connection of causes to the will and power of God most high, who is most rightly and most truly believed to know all things before they come to pass, and to leave nothing unordained; from whom are all powers, although the wills of all are not from Him. Now, that it is chiefly the will of God most high, whose power extends itself irresistibly through all things which they call fate, is proved by the following verses, of which, if I mistake not, Annæus Seneca is the author:—

"Father supreme, Thou ruler of the lofty heavens,
Lead me where'er it is Thy pleasure; I will give
A prompt obedience, making no delay,
Lo! here I am. Promptly I come to do Thy sovereign will;
If Thy command shall thwart my inclination, I will still
Follow Thee groaning, and the work assigned,
With all the suffering of a mind repugnant,
Will perform, being evil; which, had I been good,
I should have undertaken and performed though hard
With virtuous cheerfulness.
The Fates do lead the man that follows willing;
But the man that is unwilling, him they drag."

Most evidently, in this last verse, he calls that "fate" which he had before called "the will of the Father supreme," whom, he says, he is ready to obey that he may be led, being willing, not dragged, being unwilling, since "the Fates do lead the man that follows willing, but the man that is unwilling, him they drag."

The following Homeric lines, which Cicero translates into Latin, also favor this opinion:—

"Such are the minds of men, as is the light
Which Father Jove himself does pour
Illustrious o'er the fruitful earth."

Not that Cicero wishes that a poetical sentiment should have any weight in a question like this; for when he says that the Stoics, when asserting the power of fate, were in the habit of using these verses from Homer, he is not treating concerning the opinion of that poet, but concerning that of those philosophers, since by these verses, which they quote in connection with the controversy which they hold about fate, is most distinctly manifested what it is which they reckon fate, since they call by the name of Jupiter him whom they reckon the supreme god, from whom, they say, hangs the whole chain of fates.

CHAP. 9. CONCERNING THE FOREKNOWLEDGE OF GOD AND THE FREE WILL OF MAN, IN OPPOSITION TO THE DEFINITION OF CICERO

The manner in which Cicero addresses himself to the task of refuting the Stoics, shows that he did not think he could effect anything against them in the argument unless he had first demolished divination. And this he attempts to accomplish by denying that there is any knowledge of future things, and maintains with all his might that there is no such knowledge either in God or man, and that there is no prediction of events. Thus he both denies the foreknowledge of God, and attempts by vain arguments, and by opposing to himself certain oracles very easy to be refuted, to overthrow all prophecy, even such as is clearer than the light (though even these oracles are not refuted by him).

But in refuting these conjectures of the mathematicians, his argument is triumphant, because truly these are such as destroy and refute themselves. Nevertheless, they are far more tolerable who assert the fatal influence of the stars than they who deny the foreknowledge of future events. For, to confess that God exists, and at the same time to deny that He has foreknowledge of future things, is the most manifest folly. This Cicero himself saw, and therefore attempted to assert the doctrine embodied in the words of Scripture, "The fool hath said in his heart, There is no God." That, however, he did not do in his own person, for he saw how odious and offensive such an opinion would be; and therefore, in his book on the nature of the gods, he makes Cotta dispute concerning this against the Stoics, and preferred to give his own opinion in favor of Lucilius Balbus, to whom he assigned the

defence of the Stoical position, rather than in favor of Cotta, who maintained that no divinity exists. However, in his book on divination, he in his own person most openly opposes the doctrine of the prescience of future things. But all this he seems to do in order that he may not grant the doctrine of fate, and by so doing destroy free will. For he thinks that, the knowledge of future things being once conceded, fate follows as so necessary a consequence that it cannot be denied.

But, let these perplexing debatings and disputations of the philosophers go on as they may, we, in order that we may confess the most high and true God Himself, do confess His will, supreme power, and prescience. Neither let us be afraid lest, after all, we do not do by will that which we do by will, because He, whose foreknowledge is infallible, foreknew that we would do it. It as this which Cicero was afraid of, and therefore opposed foreknowledge. The Stoics also maintained that all things do not come to pass by necessity, although they contended that all things happen according to destiny. What is it, then, that Cicero feared in the prescience of future things? Doubtless it was this,—that if all future things have been foreknown, they will happen in the order in which they have been foreknown; and if they come to pass in this order, there is a certain order of things foreknown by God; and if a certain order of things, then a certain order of causes, for nothing can happen which is not preceded by some efficient cause. But if there is a certain order of causes according to which everything happens which does happen, then by fate, says he, all things happen which do happen. But if this be so, then is there nothing in our own power, and there is no such thing as freedom of will; and if we grant that, says he, the whole economy of human life is subverted. In vain are laws enacted. In vain are reproaches, praises, chidings, exhortations had recourse to; and there is no justice whatever in the appointment of rewards for the good, and punishments for the wicked. And that consequences so disgraceful, and absurd, and pernicious to humanity may not follow, Cicero chooses to reject the foreknowledge of future things, and shuts up the religious mind to this alternative, to make choice between two things, either that something is in our own power, or that there is foreknowledge,—both of which cannot be true; but if the one is affirmed, the other is thereby denied. He therefore, like a truly great and wise man, and one who consulted very much and very skillfully for the good of humanity, of those two chose the freedom of the will, to confirm which he denied the foreknowledge of

future things; and thus, wishing to make men free, he makes them sacrilegious. But the religious mind chooses both, and maintains both by the faith of piety. But how so? says Cicero; for the knowledge of future things being granted, there follows a chain of consequences which ends in this, that there can be nothing depending on our own free wills. And further, if there is anything depending on our wills, we must go backwards by the same steps of reasoning till we arrive at the conclusion that there is no foreknowledge of future things. For we go backwards through all the steps in the following order:—If there is free will, all things do not happen according to fate; if all things do not happen according to fate, there is not a certain order of causes; and if there is not a certain order of causes, neither is there a certain order of things foreknown by God,—for things cannot come to pass except they are preceded by efficient causes,—but, if there is no fixed and certain order of causes foreknown by God, all things cannot be said to happen according as He foreknew that they would happen. And further, if it is not true that all things happen just as they have been foreknown by Him, there is not, says he, in God any foreknowledge of future events.

Now, against the sacrilegious and impious darings of reason, we assert both that God knows all things before they come to pass, and that we do by our free will whatsoever we know and feel to be done by us only because we will it. But that all things come to pass by fate, we do not say; nay we affirm that nothing comes to pass by fate; for we demonstrate that the name of fate, as it is wont to be used by those who speak of fate, meaning thereby the position of the stars at the time of each one's conception or birth, is an unmeaning word, for astrology itself is a delusion. But an order of causes in which the highest efficiency is attributed to the will of God, we neither deny nor do we designate it by the name of fate, unless, perhaps, we may understand fate to mean that which is spoken, deriving it from *fari*, to speak; for we cannot deny that it is written in the sacred Scriptures, "God hath spoken once; these two things have I heard, that power belongeth unto God. Also unto Thee, O God, belongeth mercy: for Thou wilt render unto every man according to his works." Now the expression, "Once hath He spoken," is to be understood as meaning "*immovably*," that is, unchangeably all things which shall be, and all things which He will do. We might, then, use the word fate in the sense it bears when derived from *fari*, to speak, had it not already come to be understood in another sense, into which I am unwilling that the hearts

of men should unconsciously slide. But it does not follow that, though there is for God a certain order of all causes, there must therefore be nothing depending on the free exercise of our own wills, for our wills themselves are included in that order of causes which is certain to God, and is embraced by His foreknowledge, for human wills are also causes of human actions and He who foreknew all the causes of things would certainly among those causes not have been ignorant of our wills. For even that very concession which Cicero himself makes is enough to refute him in this argument. For what does it help him to say that nothing takes place without a cause, but that every cause is not fatal, there being a fortuitous cause, a natural cause, and a voluntary cause? It is sufficient that he confesses that whatever happens must be preceded by a cause. For we say that those causes which are called fortuitous are not a mere name for the absence of causes, but are only latent, and we attribute them either to the will of the true God, or to that of spirits of some kind or other. And as to natural causes, we by no means separate them from the will of Him who is the author and framer of all nature. But now as to voluntary causes. They are referable either to God, or to angels, or to men, or to animals of whatever description, if indeed those instinctive movements of animals devoid of reason, by which, in accordance with their own nature, they seek or shun various things, are to be called wills. And when I speak of the wills of angels, I mean either the wills of good angels, whom we call the angels of God, or of the wicked angels, whom we call the angels of the devil, or demons. Also by the wills of men I mean the wills either of the good or of the wicked. And from this we conclude that there are no efficient causes of all things which come to pass unless voluntary causes, that is, such as belong to that nature which is the spirit of life. The spirit of life, therefore, which quickens all things, and is the creator of every body, and of every created spirit, is God Himself, the uncreated spirit. In His supreme will resides the power which acts on the wills of all created spirits, helping the good, judging the evil, controlling all, granting power to some, not granting it to others. For, as He is the creator of all natures, so also is He the bestower of all powers, not of all wills; for wicked wills are not from Him, being contrary to nature, which is from Him. As to bodies, they are more subject to wills: some to our wills, by which I mean the wills of all living mortal creatures, but more to the wills of men than of beasts. But all of them are most of all subject to the will of God,

to whom all wills are subject, since they have no power except what He has bestowed upon them. The cause of things, therefore, which makes but is not made, is God; but all causes both make and are made. Such are all created spirits, and especially the rational. Material causes, therefore, which may rather be said to be made than to make, are not to be reckoned among efficient causes, because they can only do what the wills of spirits do by them. How, then, does an order of causes which is certain to the foreknowledge of God necessitate that there should be nothing which is dependent on our wills, when our wills themselves have a very important place in the order of causes? Cicero, then, contends with those who call this order of causes fatal, or rather designate this order itself by the name of fate; to which we have an abhorrence, especially on account of the word, which men have become accustomned to understand as meaning what is not true. But, whereas he denies that the order of all causes is most certain, and perfectly clear to the prescience of God, we detest his opinion more than the Stoics do. For he either denies that God exists,—which, indeed, in an assumed personage, he has labored to do, in his book *De Natura Deorum*,—or if he confesses that He exists, but denies that He is prescient of future things, what is that but just "the fool saying in his heart there is no God." For one who is not prescient of all future things is not God. Wherefore our wills also have just so much power as God willed and foreknew that they should have; and therefore whatever power they have, they have it within most certain limits; and whatever they are to do, they are most assuredly to do, for He whose foreknowledge is infallible foreknew that they would have the power to do it, and would do it. Wherefore, if I should choose to apply the name of fate to anything at all, I should rather say that fate belongs to the weaker of two parties, will to the stronger, who has the other in his power, than that the freedom of our will is excluded by that order of causes, which, by an unusual application of the word peculiar to themselves, the Stoics call *Fate*.

CHAP. 10. WHETHER OUR WILLS ARE RULED BY NECESSITY

Wherefore, neither is that necessity to be feared, for dread of which the Stoics labored to make such distinctions among the causes of things as should enable them to rescue certain things from the dominion of necessity, and to subject others to it. Among those things which they wished not to be subject to necessity they placed

our wills, knowing that they would not be free if subjected to necessity. For if that is to be called *our necessity* which is not in our power, but even though we be unwilling effects what it can effect,—as, for instance, the necessity of death,—it is manifest that our wills by which we live uprightly or wickedly are not under such a necessity; for we do many things which, if we were not willing, we should certainly not do. This is primarily due to the act of willing itself,—for if we will, it *is;* if we will not, it *is not,*—for we should not will if we were unwilling. But if we define necessity to be that according to which we say that it is necessary that any thing be of such and such a nature, or be done in such and such a manner, I know not why we should have any dread of that necessity taking away the freedom of our will. For we do not put the life of God or the foreknowledge of God under necessity if we should say that it is necessary that God should live for ever, and foreknow all things; as neither is His power diminished when we say that He cannot die or fall into error,—for this is in such a way impossible to Him, that if it were possible for Him, He would be of less power. But assuredly He is rightly called omnipotent, though He can neither die nor fall into error. For He is called omnipotent on account of His doing what He wills, not on on account of His suffering what He wills not; for if that should befall Him, He would by no means be omnipotent. Wherefore, He cannot do some things for the very reason that He is omnipotent. So also, when we say that it necessary that, when we will, we will by free choice, in so saying we both affirm what is true beyond doubt, and do not still subject our wills thereby to a necessity which destroys liberty. Our wills, therefore, exist as *wills,* and do themselves whatever we do by willing, and which would not be done if we were unwilling. But when any one offers anything, being unwilling, and which would not be done if we were unwilling. But when any one suffers anything, being unwilling, by the will of another, even in that case will retains its essential validity,—we do not mean the will of the party who inflicts the suffering, for we resolve it into the power of God. For if a will should simply exist, but not be able to do what it wills, it would be overborne by a more powerful will. Nor would this be the case unless there had existed will, and that not the will of the other party, but the will of him who willed, but was not able to accomplish what he willed. Therefore, whatsoever a man suffers contrary to his own will, he ought not to attribute to the will of men, or of angels, or of any created spirit, but rather to

His will who gives power to wills. It is not the case, therefore, that because God foreknew what would be in the power of our wills, there is for that reason nothing in the power of our wills. For He who foreknew this did not foreknow nothing. Moreover, if He who foreknew what would be in the power of our wills did not foreknow nothing, but something, assuredly, even though He did foreknow, there is something in the power of our wills. Therefore we are by no means compelled, either, retaining the prescience of God, to take away the freedom of the will, or, retaining the freedom of the will, to deny that He is prescient of future things, which is impious. But we embrace both. We faithfully and sincerely confess both. The former, that we may believe well; the latter, that we may live well. For he lives ill who does not believe well concerning God. Wherefore, be it far from us, in order to maintain our freedom, to deny the prescience of Him by whose help we are or shall be free. Consequently, it is not in vain that laws are enacted, and that reproaches, exhortations, praises, and vituperations are had recourse to; for these also He foreknew, and they are of great avail, even as great as He foreknew that they would be. Prayers, also, are of avail to procure those things which He foreknew that He would grant to those who offered them; and with justice have rewards been appointed for good deeds, and punishments for sins. Nay, it cannot be doubted but that it is the man himself who sins when he does sin, because He, whose foreknowledge is infallible, foreknew not that fate, or fortune, or something else would sin, who, if he wills not, sins not. But if he shall not will to sin, even this did God foreknow.

CHAP. II. CONCERNING THE UNIVERSAL PROVIDENCE OF GOD IN THE LAWS OF WHICH ALL THINGS ARE COMPREHENDED

Therefore God supreme and true, with His Word and Holy Spirit (which three are one), one God omnipotent, creator and maker of every soul and of every body; by whose gift all are happy through verity and not through vanity; who made man a rational animal consisting of soul and body, who, when he sinned, neither permitted him to go unpunished, nor left him without mercy; who has given to the good and to evil, being in common with stones, vegetable life in common with trees, sensuous life in common with brutes, intellectual life in common with angels alone; from whom is every mode, every species, every order; from whom are measure, number, weight; from whom is everything which has an existence in nature, of whatever kind it be,

and of whatever value; from whom are the seeds of forms and the forms of seeds, and the seeds of motion, and the motion of seeds and of forms; who gave also to flesh its origin, beauty, health, reproductive fecundity, disposition of members, and the salutary concord of its parts; who also to the irrational soul has given memory, sense, appetite, but to the rational soul, in addition to these, has given intelligence and will; who has not left, not to speak of heaven and earth, angels and men, but not even the entrails of the smallest and most contemptible animal, or the feather of a bird, or the little flower of a plant, or the leaf of a tree, without an harmony, and, as it were, a mutual peace among all its parts;—that God can never be believed to have left the kingdoms of men, their dominations and servitudes, outside of the laws of His providence.

CHAP. 12. BY WHAT VIRTUES THE ANCIENT ROMANS MERITED THAT THE TRUE GOD, ALTHOUGH THEY DID NOT WORSHIP HIM, SHOULD ENLARGE THEIR EMPIRE

Wherefore let us go on to consider what virtues of the Romans there were which the true God, in whose power are also the kingdoms of the earth, condescended to help in order to raise the empire, and also for what reason He did so. And, in order to discuss this question on clearer ground, we have written the former books, to show that the power of those gods, who, they thought, were to be worshipped with such trifling and silly rites, had nothing to do in this matter; and also what we have already accomplished of the present volume, to refute the doctrine of fate, lest any one who might have been already persuaded that the Roman empire was not extended and preserved by the worship of these gods, might still be attributing its extension and preservation to some kind of fate, rather than to the most powerful will of God most high. The ancient and primitive Romans, therefore, though their history shows us that, like all the other nations, with the sole exception of the Hebrews, they worshipped false gods, and sacrificed victims, not to God, but to demons, have nevertheless this commendation bestowed on them by their historian, that they were "greedy of praise, prodigal of wealth, desirous of great glory, and content with a moderate fortune." Glory they most ardently loved: for it they wished to live, for it they did not hesitate to die. Every other desire was repressed by the strength of their passion for that one thing. At length their country itself, because it seemed inglorious to serve, but glorious to rule and to command, they first earnestly desired

to be free, and then to be mistress. Hence it was that, not enduring the domination of kings, they put the government into the hands of two chiefs, holding office for a year, who were called consuls, not kings or lords. But royal pomp seemed inconsistent with the administration of a ruler (*regentis*), or the benevolence of one who consults (that is, for the public good) (*consulentis*), but rather with the haughtiness of a lord (*dominantis*). King Tarquin, therefore, having been banished, and the consular government having been instituted, it followed, as the same author already alluded to says in his praises of the Romans, that "the state grew with amazing rapidity after it had obtained liberty, so great a desire of glory had taken possession of it." That eagerness for praise and desire of glory, then, was that which accomplished those many wonderful things, laudable, doubtless, and glorious according to human judgment. The same Sallust praises the great men of his own time, Marcus Cato, and Caius Cæsar, saying that for a long time the republic had no one great in virtue, but that within his memory there had been these two men of eminent virtue, and very different pursuits. Now, among the praises which he pronounces on Cæsar he put this, that he wished for a great empire, an army, and a new war, that he might have a sphere where his genius and virtue might shine forth. Thus it was ever the prayer of men of heroic character that Bellona would excite miserable nations to war, and lash them into agitation with her bloody scourge, so that there might be occasion for the display of their valor. This, forsooth, is what that desire of praise and thirst for glory did. Wherefore, by the love of liberty in the first place, afterwards also by that of domination and through the desire of praise and glory, they achieved many great things; and their most eminent poet testifies to their having been prompted by all these motives:

> "Porsenna there, with pride elate,
> Bids Rome to Tarquin ope her gate;
> With arms he hems the city in,
> Æneas's sons stand firm to win."

At that time it was their greatest ambition either to die bravely or to live free; but when liberty was obtained, so great a desire of glory took possession of them, that liberty alone was not enough unless domination also should be sought, their great ambition being that which the same poet put into the mouth of Jupiter:

> "Nay, Juno's self, whose wild alarms

Set ocean, earth, and heaven in arms,
Shall change for smiles her moody frown,
And vie with me in zeal to crown
Rome's sons, the nation of the gown.
So stands my will. There comes a day,
While Rome's great ages hold their way,
When old Assaracus's sons
Shall quit them on the myrmidons,
O'er Phthia and Mycenæ reign,
And humble Argos to their chain."

Which things, indeed, Virgil makes Jupiter predict as future, whilst, in reality, he was only himself passing in review in his own mind, things which were already done, and which were beheld by him as present realities. But I have mentioned them with the intention of showing that, next to liberty, the Romans so highly esteemed domination, that it received a place among those things on which they bestowed the greatest praise. Hence also it is that the poet, preferring to the arts of other nations those arts which peculiarly belong to the Romans, namely, the arts of ruling and commanding, and of subjugating and vanquishing nations, says,

"Others, belike, with happier grace,
From bronze or stone shall call the face,
Plead doubtful causes, map the skies,
And tell when planets set or rise;
But Roman thou, do thou control
The nations far and wide;
Be this thy genius, to impose
The rule of peace on vanquished foes,
Show pity to the humble soul,
And crush the sons of pride."

These arts they exercised with the more skill the less they gave themselves up to pleasures, and to enervation of body and mind in coveting and amassing riches, and through these corrupting morals, by extorting them from the miserable citizens and lavishing them on base stage-players. Hence these men of base character, who abounded when Sallust wrote and Virgil sang these things, did not seek after honors and glory by these arts, but by treachery and deceit. Wherefore the same says, "But at first it was rather ambition than avarice that stirred the minds of men, which vice, however, is nearer to virtue. For glory,

honor, and power are desired by the good man and the ignoble; but the former," he says, "strives onward to them by the true way, whilst the other, knowing nothing of the good arts, seeks them by fraud and deceit." And what is meant by seeking the attainment of glory, honor, and power by good arts, is to seek them by virtue, and not by deceitful intrigue; for the good and the ignoble man alike desire these things, but the good man strives to overtake them by the true way. The way is virtue, along which he presses as to the goal of possession—namely, to glory, honor, and power. Now that this was a sentiment engrained in the Roman mind, is indicated even by the temples of their gods; for they built in very close proximity the temples of Virtue and Honor, worshipping as gods the gifts of God. Hence we can understand what they who were good thought to be the end of virtue, and to what they ultimately referred it, namely, to honor; for, as to the bad, they had no virtue though they desired honor, and strove to possess it by fraud and deceit. Praise of a higher kind is bestowed upon Cato, for he says of him, "The less he sought glory, the more it followed him." We say praise of a higher kind; for the glory with the desire of which the Romans burned is the judgment of men thinking well of men. And therefore virtue is better, which is content with no human judgment save that of one's own conscience. Whence the apostle says, "For this is our glory, the testimony of our conscience." And in another place he says, "But let every one prove his own work, and then he shall have glory in himself, and not in another." That glory, honor, and power, therefore, which they desired for themselves, and to which the good sought to attain by good arts, should not be sought after by virtue, but virtue by them. For there is no true virtue except that which is directed towards the end in which is the highest and ultimate good of man. Wherefore even the honors which Cato sought he ought not to have sought, but the state ought to have conferred them on him unsolicited, on account of his virtues.

But, of the two great Romans of that time, Cato was he whose virtue was by far the nearest to the true idea of virtue. Wherefore, let us refer to the opinion of Cato himself, to discover what was the judgment he had formed concerning the condition of the state both then and in former times. "I do not think," he says, "that it was by arms that our ancestors made the republic great from being small. Had that been the case, the republic of our day would have been by far more flourishing than that of their times, for the number of our allies and citizens is far greater; and, besides, we possess a far greater abundance

of armor and of horses than they did. But it was other things than these that made them great, and we have none of them: industry at home, just government without, a mind free in deliberation, addicted neither to crime nor to lust. Instead of these, we have luxury and avarice, poverty in the state, opulence among citizens; we laud riches, we follow laziness; there is no difference made between the good and the bad; all the rewards of virtue are got possession of by intrigue. And no wonder, when every individual consults only for his own good, when ye are the slaves of pleasure at home, and, in public affairs, of money and favor, no wonder that an onslaught is made upon the unprotected republic."

He who hears these words of Cato or of Sallust probably thinks that such praise bestowed on the ancient Romans was applicable to all of them, or, at least, to very many of them. It is not so; otherwise the things which Cato himself writes, and which I have quoted in the second book of this work, would not be true. In that passage he says, that even from the very beginning of the state wrongs were committed by the more powerful, which led to the separation of the people from the fathers, besides which there were other internal dissensions; and the only time at which there existed a just and moderate administration was after the banishment of the kings, and that no longer than whilst they had cause to be afraid of Tarquin, and were carrying on the grievous war which had been undertaken on his account against Etruria; but afterwards the fathers oppressed the people as slaves, flogged them as the kings had done, and drove them from their land, and to the exclusion of all others, held the government in their own hands alone. And to these discords, whilst the fathers were wishing to rule, and the people were unwilling to serve, the second Punic war put an end; for again great fear began to press upon their disquieted minds, holding them back from those distractions by another and greater anxiety, and bringing them back to the civil concord. But the great things which were then achieved were accomplished through the administration of a few men, who were good in their own way. And by the wisdom and forethought of these few good men, which first enabled the republic to endure these evils and mitigated them, it waxed greater and greater. And this the same historian affirms, when he says that, reading and hearing of the many illustrious achievements of the Roman people in peace and in war, by land and by sea, he wished to understand what it was by which these great things were specially sustained. For he knew that very often the Romans had

with a small company contended with great legions of the enemy; and he knew also that with small resources they had carried on wars with opulent kings. And he says that, after having given the matter much consideration, it seemed evident to him that the pre-eminent virtue of a few citizens had achieved the whole, and that that explained how poverty overcame wealth, and small numbers great multitudes. But, he adds, after that the state had been corrupted by luxury and indolence, again the republic, by its own greatness, was able to bear the vices of its magistrates and generals. Wherefore even the praises of Cato are only applicable to a few; for only a few were possessed of that virtue which leads men to pursue after glory, honor, and power by the true way,—that is, by virtue itself. This industry at home, of which Cato speaks, was the consequence of a desire to enrich the public treasury, even should the result be poverty at home; and therefore, when he speaks of the evil arising out of the corruption of morals, he reverses the expression, and says, "Poverty in the state, riches at home."—City of God, V. 1 and 8-12.

ORIGINAL SIN

CHAP. 1. OF THE FALL OF THE FIRST MAN, THROUGH WHICH MORTALITY HAS BEEN CONTRACTED

Having disposed of the very difficult questions concerning the origin of our world and the beginning of the human race, the natural order requires that we now discuss the fall of the first man (we may say of the first men), and of the origin and propagation of human death. For God had not made man like the angels, in such a condition that, even though they had sinned, they could none the more die. He had so made them, that if they discharged the obligations of obedience, an angelic immortality and a blessed eternity might ensue, without the intervention of death; but if they disobeyed, death should be visited on them with just sentence—which, too, has been spoken of in the preceding book.

CHAP. 2. OF THAT DEATH WHICH CAN AFFECT AN IMMORTAL SOUL, AND OF THAT TO WHICH THE BODY IS SUBJECT

But I see I must speak a little more carefully of the nature of death. For although the human soul is truly affirmed to be immortal, yet it also has a certain death of its own. For it is therefore called

immortal, because, in a sense, it does not cease to live and to feel; while the body is called mortal, because it can be forsaken of all life, and cannot by itself live at all. The death, then, of the soul takes place when God forsakes it, as the death of the body when the soul forsakes it. Therefore the death of both—that is, of the whole man—occurs when the soul, forsaken by God, forsakes the body. For, in this case, neither is God the life of the soul, nor the soul the life of the body. And this death of the whole man is followed by that which, on the authority of the divine oracles, we call the second death. This the Saviour referred to when He said, "Fear Him which is able to destroy both soul and body in hell." And since this does not happen before the soul is so joined to its body that they cannot be separated at all, it may be matter of wonder how the body can be said to be killed by that death in which it is not forsaken by the soul, but, being animated and rendered sensitive by it, is tormented. For in that penal and everlasting punishment, of which in its own place we are to speak more at large, the soul is justly said to die, because it does not live in connection with God; but how can we say that the body is dead, seeing that it lives by the soul? For it could not otherwise feel the bodily torments which are to follow the resurrection. Is it because life of every kind is good, and pain an evil, that we decline to say that that body lives, in which the soul is the cause, not of life, but of pain? The soul, then, lives by God when it lives well, for it cannot live well unless by God working in it what is good; and the body lives by the soul when the soul lives in the body, whether itself be living by God or no. For the wicked man's life in the body is a life not of the soul, but of the body, which even dead souls—that is, souls forsaken of God—can confer upon bodies, how little soever of their own proper life, by which they are immortal, they retain. But in the last damnation, though man does not cease to feel, yet because this feeling of his is neither sweet with pleasure nor wholesome with repose, but painfully penal, it is not without reason called death rather than life. And it is called the second death because it follows the first, which sunders the two cohering essences, whether these be God and the soul, or the soul and the body. Of the first and bodily death, then, we may say that to the good it is good, and evil to the evil. But, doubtless, the second, as it happens to none of the good, so it can be good for none.

CHAP. 3. WHETHER DEATH, WHICH BY THE SIN OF OUR FIRST PARENTS HAS PASSED UPON ALL MEN, IS THE PUNISHMENT OF SIN, EVEN TO THE GOOD

But a question not to be shirked arises: Whether in very truth death, which separates soul and body, is good to the good? For if it be, how has it come to pass that such a thing should be the punishment of sin? For the first men would not have suffered death had they not sinned. How, then, can that be good to the good, which could not have happened except to the evil? Then, again, if it could only happen to the evil, to the good it ought not to be good, but non-existent. For why should there be any punishment where there is nothing to punish? Wherefore we must say that the first men were indeed so created, that if they had not sinned, they would not have experienced any kind of death; but that, having become sinners, they were so punished with death, that whosoever springs from their stock should also be punished with the same death. For nothing else could be born of them than that which they themselves had been. Their nature was deteriorated in proportion to the greatness of the condemnation of their sin, so that what existed as punishment in those who first sinned, became a natural consequence in their children. For man is not produced by man, as he was from the dust. For dust was the material out of which man was made: man is the parent by whom man is begotten. Wherefore earth and flesh are not the same thing, though flesh be made of earth. But as man the parent is, such is man the offspring. In the first man, therefore, there existed the whole human nature, which was to be transmitted by the woman to posterity, when that conjugal union received the divine sentence of its own condemnation; and what man was made, not when created, but when he sinned and was punished, this he propagated, so far as the origin of sin and death are concerned. For neither by sin nor its punishment was he himself reduced to that infantine and helpless infirmity of body and mind which we see in children. For God ordained that infants should begin the world as the young of beasts begin it, since their parents had fallen to the level of the beasts in the fashion of their life and of their death; as it is written, "Man when he was in honor understood not; he became like the beasts that have no understanding." Nay more, infants, we see, are even feebler in the use and movement of their limbs, and more infirm to choose and refuse, than the most tender offspring of other animals; as if the force that dwells in human nature were destined to

surpass all other living things so much the more eminently, as its energy has been longer restrained, and the time of its exercise delayed, just as an arrow flies the higher the further back it has been drawn. To this infantine imbecility the first man did not fall by his lawless presumption and just sentence; but human nature was in his person vitiated and altered to such an extent, that he suffers in his members the warring of disobedient lust, and became subject to the necessity of dying. And what he himself had become by sin and punishment, such he generated those whom he begot; that is to say, subject to sin and death. And if infants are delivered from this bondage of sin by the Redeemer's grace, they can suffer only this death which separates soul and body; but being redeemed from the obligation of sin, they do not pass to that second endless and penal death.

CHAP. 4. WHY DEATH, THE PUNISHMENT OF SIN, IS NOT WITHHELD FROM THOSE WHO BY THE GRACE OF REGENERATION ARE ABSOLVED FROM SIN

If, moreover, any one is solicitous about this point, how, if death be the very punishment of sin, they whose guilt is cancelled by grace do yet suffer death, this difficulty has already been handled and solved in our other work which we have written on the baptism of infants. There it was said that the parting of soul and body was left, though its connection with sin was removed, for this reason, that if the immortality of the body followed immediately upon the sacrament of regeneration, faith itself would be thereby enervated. For faith is then only faith when it waits in hope for what is not yet seen in substance. And by the vigor and conflict of faith, at least in times past, was the fear of death overcome. Specially was this conspicuous in the holy martyrs, who could have had no victory, no glory, to whom there could not even have been any conflict, if, after the laver of regeneration, saints could not suffer bodily death. Who would not, then, in company with the infants presented for baptism, run to the grace of Christ, that so he might not be dismissed from the body? And thus faith would not be tested with an unseen reward; and so would not even be faith, seeking and receiving an immediate recompense of its works. But now, by the greater and more admirable grace of the Saviour, the punishment of sin is turned to the service of righteousness. For then it was proclaimed to man, "If thou sinnest, thou shalt die;" now it is said to the martyr, "Die, that thou sin not." Then it was said, "If ye transgress the commandments, ye shall die;" now it is said, "If ye decline death ye trans-

gress the commandment." That which was formerly set as an object of terror, that men might not sin, is now to be undergone if we would not sin. Thus, by the unutterable mercy of God, even the very punishment of wickedness has become the armor of virtue, and the penalty of the sinner becomes the reward of the righteous. For then death was incurred by sinning, now righteousness is fulfilled by dying. In the case of the holy martyrs it is so; for to them the persecutor proposes the alternative, apostasy or death. For the righteous prefer by believing to suffer what the first transgressors suffered by not believing. For unless they had sinned, they would not have died; but the martyrs sin if they do not die. The one died because they sinned, the others do not sin because they die. By the guilt of the first, punishment was incurred; by the punishment of the second, guilt is prevented. Not that death, which was before an evil, has become something good, but only that God has granted to faith this grace, that death, which is the admitted opposite to life, should become the instrument by which life is reached.

CHAP. 5. AS THE WICKED MAKE AN ILL USE OF THE LAW, WHICH IS GOOD, SO THE GOOD MAKE A GOOD USE OF DEATH, WHICH IS AN ILL

The apostle, wishing to show how hurtful a thing sin is, when grace does not aid us, has not hesitated to say that the strength of sin is that very law by which sin is prohibited. "The sting of death is sin, and the strength of sin is the law." Most certainly true; for prohibition increases the desire of illicit action, if righteousness is not so loved that the desire of sin is conquered by that love. But unless divine grace aid us, we cannot love or delight in true righteousness. But lest the law should be thought to be an evil, since it is called the strength of sin, the apostle, when treating a similar question in another place, says, "The law indeed is holy, and the commandment holy, and just, and good. Was then that which is holy made death unto me? God forbid. But sin, that it might appear sin, working death in me by that which is good; that sin by the commandment might become exceeding sinful." *Exceeding*, he says, because the transgression is more heinous when through the increasing lust of sin the law itself also is despised. Why have we thought it worth while to mention this? For this reason, because, as the law is not an evil when it increases the lust of those who sin, so neither is death a good thing when it increases the glory of those who suffer it, since either the former is abandoned wickedly, and makes transgressors, or the latter is embraced for the

truth's sake, and makes martyrs. And thus the law is indeed good, because it is prohibition of sin, and death is evil because it is the wages of sin; but as wicked men make an evil use not only of evil, but also of good things, so the righteous make a good use not only of good, but also of evil things. Whence it comes to pass that the wicked make an ill use of the law, though the law is good; and that the good die well, though death is an evil.

CHAP. 6. OF THE EVIL OF DEATH IN GENERAL, CONSIDERED AS THE SEPARATION OF SOUL AND BODY

Wherefore, as regards bodily death, that is, the separation of the soul from the body, it is good unto none while it is being endured by those whom we say are in the article of death. For the very violence with which body and soul are wrenched asunder, which in the living had been conjoined and closely intertwined, brings with it a harsh experience, jarring horridly on nature so long as it continues, till there comes a total loss of sensation, which arose from the very interpenetration of spirit and flesh. And all this anguish is sometimes forestalled by one stroke of the body or sudden flitting of the soul, the swiftness of which prevents it from being felt. But whatever that may be in the dying which with violently painful sensation robs of all sensation, yet when it is piously and faithfully borne, it increases the merit of patience, but does not make the name of punishment inapplicable. Death proceeding by ordinary generation from the first man, is the punishment of all who are born of him, yet, if it be endured for righteousness' sake, it becomes the glory of those who are born again; and though death be the award of sin, it sometimes secures that nothing be awarded to sin.

CHAP. 7. OF THE DEATH WHICH THE UNBAPTIZED SUFFER FOR THE CONFESSION OF CHRIST.

For whatever unbaptized persons die confessing Christ, this confession is of the same efficacy for the remission of sins as if they were washed in the sacred font of baptism. For He who said, "Except a man be born of water and of the Spirit, he cannot enter into the kingdom of God," made also an exception in their favor, in that other sentence where He no less absolutely said, "Whosoever shall confess Me before men, him will I confess also before My Father which is in heaven;" and in another place, "Whosoever will lose his life for My sake, shall find it." And this explains the verse, "Precious in the

sight of the Lord is the death of His saints." For what is more precious than a death by which a man's sins are all forgiven, and his merits increased an hundredfold? For those who have been baptized when they could no longer escape death, and have departed this life with all their sins blotted out, have not equal merit with those who did not defer death, though it was in their power to do so, but preferred to end their life by confessing Christ, rather than by denying Him to secure an opportunity of baptism. And even had they denied Him under the pressure of the fear of death, this too would have been forgiven them in that baptism, in which was remitted even the enormous wickedness of those who had slain Christ. But how abundant in these men must have been the grace of the Spirit, who breathes where He listeth, seeing that they so dearly loved Christ as to be unable to deny Him even in so sore an emergency, and with so sure a hope of pardon! Precious, therefore, is the death of the saints, to whom the grace of Christ has been applied with such gracious effects, that they do not hesitate to meet death themselves, if so by they might meet Him. And precious is it, also, because it has proved that what was originally ordained for the punishment of the sinner, has been used for the production of a richer harvest of righteousness. But not on this account should we look upon death as a good thing, for it is diverted to such useful purposes, not by any virtue of its own, by the divine interference. Death was originally proposed as an object of dread, that sin might not be committed; now it must be undergone that sin may not be committed, or, if committed, be remitted, and the award of righteousness bestowed on him whose victory has earned it.

CHAP. 8. THAT THE SAINTS, BY SUFFERING THE FIRST DEATH FOR THE TRUTH'S SAKE, ARE FREED FROM THE SECOND.

For if we look at the matter a little more carefully, we shall see that even when a man dies faithfully and laudably for the truth's sake, it is still death he is avoiding. For he submits to some part of death, for the very purpose of avoiding the whole, and the second and eternal death over and above. He submits to the separation of soul and body, lest the soul be separated both from God and from the body, and so the whole first death be completed, and the second death receive him everlastingly. Wherefore death is indeed, as I said, good to none while it is being actually suffered, and while it is subduing the dying to its power; but it is meritoriously endured for the sake of retaining or winning what *is* good. And regarding what happens after death, it is

no absurdity to say that death is good to the good, and evil to the evil. For the disembodied spirits of the just are at rest; but those of the wicked suffer punishment till their bodies rise again,—those of the just to life everlasting, and of the others to death eternal, which is called the second death.—City of God, XIII. 1-8.

REDEMPTION

CHAP. 32. OF THE UNIVERSAL WAY OF THE SOUL'S DELIVERANCE, WHICH PORPHYRY DID NOT FIND BECAUSE HE DID NOT RIGHTLY SEEK IT, AND WHICH THE GRACE OF CHRIST HAS ALONE THROWN OPEN.

This is the religion which possesses the universal way for delivering the soul; for, except by this way, none can be delivered. This is a kind of royal way, which alone leads to a kingdom which does not totter like all temporal dignities, but stands firm on eternal foundations. And when Porphyry says, towards the end of the first book *De Regressu Animae,* that no system of doctrine which furnishes the universal way for delivering the soul has as yet been received, either from the truest philosophy, or from the ideas and practices of the Indians, or from the reasoning of the Chaldæans, or from any source whatever, and that no historical reading had made him acquainted with that way, he manifestly acknowledges that there is such a way, but that as yet he was not acquainted with it. Nothing of all that he had so laboriously learned concerning the deliverance of the soul, nothing of all that he seemed to others, if not to himself, to know and believe, satisfied him. For he perceived that there was still wanting a commanding authority which it might be right to follow in a matter of such importance. And when he says that he had not learned from any truest philosophy a system which possessed the universal way of the soul's deliverance, he shows plainly enough, as it seems to me, either that the philosophy of which he was a disciple was not the truest, or that it did not comprehend such a way. And how can that be the truest philosophy which does not possess this way? For what else is the universal way of the soul's deliverance than that by which all souls universally are delivered, and without which, therefore, no soul is delivered? And when he says, in addition, "or from the ideas and practices of the Indians, or from the reasoning of the Chaldæans, or from any source whatever," he

declares in the most unequivocal language that this universal way of the soul's deliverance was not embraced in what he had learned either from the Indians or the Chaldæans; and yet he could not forbear stating that it was from the Chaldæans he had derived these divine oracles of which he makes such frequent mention. What, therefore, does he mean by this universal way of the soul's deliverance, which had not yet been made known by any truest philosophy, or by the doctrinal systems of those nations which were considered to have great insight in things divine, because they indulged more freely in a curious and fanciful science and worship of angels? What is this universal way of which he acknowledges his ignorance, if not a way which does not belong to one nation as its special property, but in common to all, and divinely bestowed? Porphyry, a man of no mediocre abilities, does not question that such a way exists; for he believes that Divine Providence could not have left men destitute of this universal way of delivering the soul. For he does not say that this way does not exist, but that this great boon and assistance has not yet been discovered, and has not come to his knowledge. And no wonder; for Porphyry lived in an age when this universal way of the soul's deliverance,—in other words, the Christian religion,—was exposed to the persecutions of idolaters and demon-worshippers, and earthly rulers, that the number of martyrs or witnesses for the truth might be completed and consecrated, and that by them proof might be given that we must endure all bodily sufferings in the cause of the holy faith, and for the commendation of the truth. Porphyry, being a witness of these persecutions, concluded that this way was destined to a speedy extinction, and that it, therefore, was not the universal way of the soul's deliverance, and did not see that the very thing that thus moved him, and deterred him from becoming a Christian, contributed to the confirmation and more effectual commendation of our religion.

This, then, is the universal way of the soul's deliverance, the way that is granted by the divine compassion to the nations universally. And no nation to which the knowledge of it has already come, or may hereafter come, ought to demand, Why so soon? or, Why so late,—for the design of Him who sends it is impenetrable by human capacity. This was felt by Porphyry when he confined himself to saying that this gift of God was not yet received, and had not yet come to his knowledge. For though this was so, he did not on that account pronounce that the way itself had no existence. This, I say, is the universal way for the deliverance of believers, concerning which the faithful Abraham

received the divine assurance, "In thy seed shall all nations be blessed." He, indeed, was by birth a Chaldæan; but, that he might receive these great promises, and that there might be propagated from him a seed "disposed by angels in the hand of a Mediator," in whom this universal way, thrown open to all nations for the deliverance of the soul, might be found, he was ordered to leave his country, and kindred, and father's house. Then was he himself, first of all, delivered from the Chaldæan superstitions, and by his obedience worshipped the one true God, whose promises he faithfully trusted. This is the universal way, of which it is said in holy prophecy, "God be merciful unto us, and cause His face to shine upon us; that Thy way may be known upon earth, Thy saving health among all nations." And hence, when our Saviour, so long after, had taken flesh of the seed of Abraham, He says of Himself, "I am the way, the truth, and the life." This is the universal way, of which so long before it had been predicted, "And it shall come to pass in the last days, that the mountain of the Lord's house shall be established in the top of the mountains, and shall be exalted above the hills; and all nations shall flow unto it. And many people shall go and say, Come ye, and let us go up to the mountain of the Lord, to the house of the God of Jacob; and He will teach us of His ways, and we will walk in His paths: for out of Zion shall go forth the law, and the word of the Lord from Jerusalem." This way, therefore, is not the property of one, but of all nations. The law and the word of the Lord did not remain in Zion and Jerusalem, but issued thence to be universally diffused. And therefore the Mediator Himself, after His resurrection, says to His alarmed disciples, "These are the words which I spake unto you while I was yet with you, that all things must be fulfilled which were written in the law of Moses, and in the prophets, and in the Psalms, concerning Me." Then opened He their understandings that they might understand the Scriptures, and said unto them, "Thus it is written, and thus it behooved Christ to suffer, and to rise from the dead the third day: and that repentance and remission of sins should be preached in His name among all nations, beginning at Jerusalem." This is the universal way of the soul's deliverance, when the holy angels and the holy prophets formerly disclosed where they could among the few men who found the grace of God, and especially in the Hebrew nation, whose commonwealth was, as it were, consecrated to prefigure and fore-announce the city of God which was to be gathered from all nations, by their tabernacle, and temple, and priesthood, and sacrifices. In some explicit statements, and in many obscure

foreshadowings, this way was declared; but latterly came the Mediator Himself in the flesh, and His blessed apostles, revealing how the grace of the New Testament more openly explained what had been obscurely hinted to preceding generations, in conformity with the relation of the ages of the human race, and as it pleased God in His wisdom to appoint, who also bore them witness with signs and miracles, some of which I have cited above. For not only were there visions of angels, and words heard from those heavenly ministrants, but also men of God, armed with the word of simple piety, cast out unclean spirits from the bodies and sense of men, and healed deformities and sicknesses; the wild beasts of earth and sea, the birds of air, inanimate things, the elements, the stars, obeyed their divine commands; the powers of hell gave way before them, the dead were restored to life. I say nothing of the miracles peculiar and proper to the Saviour's person, especially the nativity and the resurrection; in the one of which He wrought only the mystery of a virgin maternity, while in the other He furnished an instance of the resurrection which all shall at last experience. This way purifies the whole man, and prepares the mortal in all his parts for immortality. For, to prevent us from seeking for one purgation for the part which Porphyry calls intellectual, and another for the part he calls spiritual, and another for the body itself, our most mighty and truthful Purifier and Saviour assumed the whole human nature. Except by this way, which had been present among men both during the period of the promises and of the proclamation of their fulfillment, no man has been delivered, no man is delivered, no man shall be delivered.

As to Porphyry's statement that the universal way of the soul's deliverance had not yet come to his knowledge by any acquaintance he had with history, I would ask, what more remarkable history can be found than that which has taken possession of the whole world by its authoritative voice? or what more trustworthy than that which narrates past events, and predicts the future with equal clearness, and in the unfulfilled predictions of which we are constrained to believe by those that are already fulfilled? For neither Porphyry nor any Platonists can despise divination and prediction, even of things that pertain to this life and earthly matters, though they justly despise ordinary soothsaying and the divination that is connected with magical arts. They deny that these are the predictions of great men, or are to be considered important, and they are right; for they are founded, either on the foresight of subsidiary causes, as to a professional eye much

of the course of a disease is foreseen by certain premonitory symptoms, or the unclean demons predict what they have resolved to do, that they may thus work upon the thoughts and desires of the wicked with an appearance of authority, and incline human frailty to imitate their impure actions. It is not such things that the saints who walk in the universal way care to predict as important, although, for the purpose of commending the faith, they knew and often predicted even such things as could not be detected by human observation, nor be verified by experience. But there were other truly important and divine events which they predicted, in so far as it was given them to know the will of God. For the incarnation of Christ, and all those important marvels that were accomplished in Him, and done in His name; the repentance of men and the conversion of their wills to God; the remission of sins, the grace of righteousness, the faith of the pious, and the multitudes in all parts of the world who believe in the true divinity; the overthrow of idolatry and demon worship, and the testing of the faithful by trials; the purification of those who persevered, and their deliverance from all evil; the day of judgment, the resurrection of the dead, the eternal damnation of the community of the ungodly, and the eternal kingdom of the most glorious city of God,—these things were predicted and promised in the Scriptures of this way; and of these we see so many fulfilled, that we justly and piously trust that the rest will also come to pass. As for those who do not believe, and consequently do not understand, that this is the way which leads straight to the vision of God and to eternal fellowship with Him, according to the true predictions and statements of the Holy Scriptures, they may storm at our position, but they cannot storm it.

And therefore, in these ten books, though not meeting, I dare say, the expectation of some, yet I have, as the true God and Lord has vouchsafed to aid me, satisfied the desire to certain persons, by refuting the objections of the ungodly, who prefer their own gods to the Founder of the holy city, about which we undertook to speak. Of these ten books, the first five were directed against those who think we should worship the gods for the sake of the blessings of this life, and the second five against those who think we should worship them for the sake of the life which is to be after death. And now, in fulfillment of the promise I made in the first book, I shall go on to say, as God shall aid me, what I think needs to be said regarding the origin, history, and deserved ends of the two cities, which, as already remarked,

are in this world commingled and implicated with one another."—City of God, X. 32.

FAITH, HOPE, AND LOVE

I. Beyond all expression am I pleased with your learning, my very dear son Laurentius, and long for you to be wise; not of the number of them concerning whom it is said, *Where is the wise? where the scribe? where the discoverer of this world? Hath not God made foolish the wisdom of this world?* but of them concerning whom it is written, *The multitude of the wise is the soundness of the world;* and such as the Apostle wishes them to become, to whom he writes, *But I wish you to be wise indeed in what is good, but simple in what is evil.* But as no one can of himself be, so no one can of himself be wise, but of Him, enlightening, concerning Whom it is written, *All wisdom is from God.* But man's wisdom is piety. You have this in the book of holy Job: for there we read, that Wisdom herself said to man, *Behold, piety is wisdom.* But if you enquire, what piety she there spake of, you will find more clearly in the Greek, *theosebeian,* which is the worship of God. For in the Greek there is another word also for piety, that is, *eusebeia,* by which word is signified good worship, although this too is especially referred to the worship of God. But there is nothing more suitable than that word, by which evidently the worship of God was expressed, when it was said, what was wisdom for man. Seek you any thing to be said more briefly, you who ask of me to speak briefly of great things? Or haply you desire to have this very point briefly opened, and brought together into a short discourse, in what manner God is to be worshipped. Here if I shall answer that God is to be worshipped by Faith, Hope, and Love; you will certainly say, that this is a shorter statement than you wished; and then you will ask, that what things belong to each of these three, may be briefly explained to you; that is, what is to be believed, what to be hoped for, what to be loved. Which when I shall have done, therein will be all these things which in your letter you set down by way of enquiry, a copy of which if you have with you, you may easily turn over and read them again; if however you have not, you may remember them as I repeat them. For your wish, as you write, is, "that I should write you a book, which you may have as a manual, (as it is called,) and never suffer to leave your hands: containing the things demanded, that

is, What is chiefly to be followed; what, by reason of diverse heresies, mainly to be avoided; how far reason contends for religion, or what in reason is unsuitable, when faith is alone; what is held first, what last; what is the sum of the whole prescribed form; what the certain and proper foundation of the Catholic Faith." All these things which you inquire after you will without any doubt know, by knowing carefully what ought to be BELIEVED, what to be HOPED, what to be LOVED. For these things especially, nay rather alone, are in religion to be followed. These things whatsoever contradicts, is either altogether an alien from the name of Christ, or an heretic. These things are to be defended by seasoning, either having their foundation in the senses of the body, or discovered by the power of understanding in the mind. But what things we have neither experienced by corporeal sense, nor either have been, or are, able to attain to by mental powers, these without any doubt are to be believed on their testimony, by whom was composed that Scripture which hath by this time deservedly come to be called divine; who, by divine help, whether through the body, or through the mind, were able either to see, or even to foresee these things. But when the mind hath been imbued with the beginning of faith, which worketh by love, it goes on by living well to arrive at sight also, wherein is unspeakable beauty known to holy and perfect hearts, the full vision of which is the highest happiness. This is assuredly what you are inquiring after, "what is held first, what last:" to be begun in faith, to be made perfect in sight. This also is "the sum of the whole prescribed form." But the "certain and proper foundation of the Catholic Faith" is Christ. *For other foundation,* says the Apostle, *no one can lay, beside that which is laid, which is Christ Jesus.* Nor must that therefore be denied to be the proper foundation of the Catholic Faith, because it may be thought that this is in common to us with certain heretics. For if those things which pertain to Christ be carefully thought on, as far as the name, Christ is found among certain heretics, who wish to be called Christians; but in reality He is not among them. Which to shew is too long; inasmuch as all heresies have to be noticed, which either have been, or are, or have been able to be under the Christian name, and the truth of this to be pointed out in each: which discussion is one for so many volumes that it may seem even endless. You however demand of us "a manual," that is, "what may be grasped by the hand, not what may load the bookshelves." To return therefore to those three things, by which we said that God is to be worshipped, faith, hope, love; it is easily said, what is to be believed, what

to be hoped for, what to be loved; but in what manner it may be defended against the false charges of those who think differently, is matter of more laborious and copious teaching; in order to possess which there needeth, not that the hand be filled with a short manual, but that the breast be inflamed with great zeal.

2. For see, you have the Creed and the Lord's Prayer: what shorter to hear or read? what more easy to commit to memory? For in that by reason of sin, the human race was weighed down by heavy misery, and needed the Divine mercy; the Prophet foretelling the time of the grace of God, says, *And it shall be, every one that shall call on the Name of the Lord, shall be saved:* for this reason is the Prayer. But the Apostle, after for the recommending of Grace itself, he had recounted this testimony of the Prophet, immediately adds, *But how shall they call on Him, in Whom they have not believed?* for this reason is the Creed. In these two things view those three; faith believes, hope and love pray. Hence in fact it was said, *How shall they call on Him, in Whom they have not believed?* But what can be hoped for, which is not believed? Further, something also which is not hoped for, may be believed. For who of the faithful does not believe the punishments of the ungodly? yet he hopes not for them; and whosoever believes them to hang over him, and shudders at them with a shrinking feeling of mind, is more rightly said to fear than to hope for them. Which two things a certain one distinguishing between, says, 'May it be allowed one fearing to hope.' Another poet however, although a better, hath said, not properly, 'This so great grief if I have been able to hope for.' In short, certain ones in the art of grammar use this word as an instance to point out an improper expression, and say, he said "to hope," for "to fear." There is faith, then, both of evil things and of good; seeing that both good things are believed, and evil; and this by faith, itself good, not evil. There is also faith both of past things, and of present, and of future. For we believe that Christ was dead, which is now past: we believe that He is sitting at the right hand of the Father, which now is: we believe that He will come to judge, which is future. Also faith is both of one's own things, and of the things of others. For each man believes both himself at some time to have begun to be, and not certainly to have been from all eternity; and other men likewise, and other things: nor concerning other men only do we believe many things which pertain to religion, but concerning angels also. But hope is not, but only of things good, and also future, and relating to him who is considered

to entertain hope of them. Which things being so, for these reasons it will be right to distinguish faith from hope, as by word, as also by reasonable difference. For as respects the not seeing, whether they be the things which are believed, or the things which are hoped for, this is common to faith and hope. In fact, in the Epistle to the Hebrews, which illustrious defenders of the Catholic Rule have used as a witness, faith is said to be 'the *proof* of things not seen.' Although, when one says, that he has believed, that is, hath lent his faith to, not words, not witnesses, not in short any arguments, but the evidence of the things present, he does not seem so out of place, as rightly to be censured for the word, and to have it said to him, 'You saw, therefore you did not believe;' whence it may be thought not to follow, that whatsoever thing is believed is not seen. But we better call that faith, which the Divine Oracles have taught, that is, of such things as are not seen. Concerning hope also the Apostle says, *Hope which is seen is not hope; for what a man seeth, why doth he hope for? But if what we see not we hope for, through patience we wait for it.* When therefore good things are believed to be about to happen to us, they are nothing else but hoped for. Now concerning love what shall I say, without which faith profiteth nothing? but hope without love cannot be. Finally, as says the Apostle James, *The devils also believe, and tremble:* yet do they not hope or love; but rather what we hope for and love, they, in believing that it will come, dread. For which reason the Apostle Paul approves of and commends *faith which worketh by love,* which assuredly without hope cannot be. Wherefore neither is love without hope, nor hope without love, nor both without faith.

3. When therefore it is asked, what is to be believed of matter relating to religion, we are not so to inquire into the nature of things, as is done by those whom the Greeks call *naturalists* nor are we to fear, lest the Christian be ignorant of anything concerning the force and number of the elements; the motion and order and eclipses of the heavenly bodies; the figure of the heavens; the kinds and natures of animals, plants, stones, springs, rivers, mountains; intervals of places and times; the signs of coming storms; and other six hundred things concerning those matters, which they either have discovered, or suppose themselves to have discovered; in that neither have they themselves found out all things, excelling (as they do) in so great ability, burning with zeal, abounding in leisure, and prosecuting their enquiries, some by human conjecture, others again by experience of fact, and in those things which they boast to have discovered, on most subjects

holding opinions rather than knowing. It is enough for the Christian to believe, that the cause of created things, whether heavenly or earthly, whether visible or invisible, is none other than the goodness of his Creator, Who is God, One and True; and that there is no nature which is not either Himself or from Himself; and that He Himself is a Trinity; the Father, that is, and the Son begotten by the Father, and the Holy Spirit proceeding from the same Father, but one and the same spirit of the Father and of the Son. By this Trinity, supremely and equally and unchangeably good, all things were created, and that neither supremely, nor equally, nor unchangeably good, but yet good even each one: but the whole together *very good;* in that out of all these is made an admirable beauty of the whole. In which even that which is called evil, being rightly set and put in its own place, commends more strikingly things that are good, so as that they are more pleasing and more praiseworthy through comparison with things that are evil. For neither would Almighty God, as even heathens confess, 'Ruler supreme of things,' being, as He is, supremely good, in any way suffer any evil to be in His works, were He not Almighty and good even to this, out of any evil to work what is good. But what else is that which is called evil, but a privation of good? For like as in the bodies of animals, to be affected by diseases and wounds is nothing else than to be deprived of health, (for the object is not, when a remedial system is applied, that those evils which were in the body, that is, diseases and wounds, may depart hence and be in some other place; but that they may not be at all. For wound or disease is not any substance, but the fault of a carnal substance; the substance itself being the flesh, certainly some good thing, to which those evils are accidents, that is, the privations of that good which is called health,) so also, whatsoever are the faults of minds, are privations of natural good things; which when they are healed are not transferred to any place, but those things which were there, will be no where, seeing that in that health they will not be.

30. From this confession of Faith, which is briefly contained in the Creed, and which carnally understood is the milk of babes, but spiritually considered and handled is the meat of strong men, arises the good Hope of the faithful, which is always accompanied by holy Charity. But of all these things which are to be faithfully believed, those only appertain unto Christ which are contained in the Lord's Prayer. For, *Cursed is every one,* as the divine words testify, *who placeth his hope in man:* and thus he also who placeth his hope in

himself, is bound by the bond of this curse. Therefore we ought to seek from no other than God, whatsoever we hope that we ourselves shall either do of good works, or obtain in return for our good works. Wherefore in the Evangelist S. Matthew the Lord's Prayer seems to contain seven petitions; by three whereof things eternal are asked, by the other four, things temporal, which yet are necessary in order to obtain things eternal. For in that we say, *Hallowed be Thy Name, Thy Kingdom come, Thy Will be done as in Heaven so also on earth,* (by which some have understood not ill, in spirit, and body,) the things are wholly to be retained without any end; and being begun here, how great progress soever we make, are increased in us; but when perfected, which is to be hoped for in another life, will be kept for ever. But in that we say, *Give us this day our daily bread, And forgive us our debts, as we also forgive our debtors, And lead us not into temptation, But deliver us from evil;* who but must see that they pertain to the state of want of this present life? Therefore in that eternal life, where we hope that we shall ever be, both the hallowing of the Name of God, and His Kingdom, and His Will in our spirit and body will abide perfectly and immortally. But our daily bread is therefore so called, because here is necessary so much as is to be assigned to our soul and flesh, whether it be understood spiritually or carnally, or in both ways. Here also is the remission which we ask, where is the commission of sins; here the temptations which either entice or drive us to sin; here finally that evil from which we wish to be delivered, but There is no one of those things. But the Evangelist Luke in the Lord's Prayer has comprehended not seven petitions, but five: and yet is he not assuredly at variance with that other, but by his very brevity hath admonished us how those seven are to be understood. That is to say, the Name of God is hallowed in the spirit, but the Kingdom of God is to come in the resurrection of the flesh. S. Luke, therefore, shewing that the third petition is in a certain way a repetition of the two first, causeth it more to be understood by passing it by. Then he adds three others, concerning daily bread, concerning forgiveness of sins, concerning avoiding temptations. But that which S. Matthew set down last, *But deliver us from evil;* S. Luke hath not set down, that we might understand that that which was said concerning temptation pertained to what came before. For this very reason, that is, S. Matthew says, *But* deliver us; and says not, *And* deliver us, (Do not this, *but* this): that each may understand that he is therein delivered from evil, in that he is not led into temptation.

31. Now further Love, which the Apostle hath declared to be greater than these two, that is, than faith and hope, by how much the more it be in any one, by so much is he better in whom it is. For when it is asked, whether any one be a good man, it is not asked, what he believes, or hopes, but what he loves. For he who loves aright, without doubt believes and hopes aright: but he who loves not believes and hopes in vain, even if those things which he hopes be taught to appertain unto true happiness: unless also he believe and hope this which it may be given to him, asking it, that he may love. For although one cannot hope without love, yet it may happen that he love not that, without which he cannot arrive at that which he hopes. As if one should hope for eternal life, (which who loves not?) and love not righteousness, without which no one arriveth at it. But this is that faith of Christ, which the Apostle commends, *which worketh by love;* and what in love it yet hath not, it asks, that it may receive, seeks, that it may find, knocks, that it may be opened unto it. For faith obtaineth, what the law obligeth. For without the gift of God, that is, without the Holy Ghost, through whom love is shed abroad in our hearts, the law may bid, but it cannot aid, and may moreover make a man a transgressor, in that he cannot excuse himself on the plea of ignorance. For carnal lust reigneth, where the love of God is not. But when in the deepest darkness of ignorance. without any reason to resist, man lives according to the flesh, this is the first state of a man. Next when by the law hath been wrought a knowledge of sin, if the Divine Spirit as yet help not, the man willing to live according to the law is overcome, and sins knowingly, and is brought under and made the servant of sin, *For by whom a man is overcome, unto the same also is he made over as a slave;* the knowledge of the commandment bringing this to pass, that sin works in man all lust, the aggravation of transgression being added, and so that which is written be fulfilled, *The law entered, that the offence might abound.* This is the second state of a man. But if God shall look upon him, so that He may be believed Himself to help him to fulfil what He commands, and man shall begin to be led by the Spirit of God, he lusteth against the flesh, with stronger might of love; so that, although there still be that which proceeding from a man fighteth against the man, his whole disease not yet being healed, yet doth *the just live by faith,* and lives justly, in so far as he yieldeth not to evil lust, the delight in righteousness prevailing. This is the third state of good hope of a man; wherein if any one make progress by pious perseverance, there remaineth peace at last, which shall be ful-

filled after this life, in the rest of the spirit, and afterwards in the resurrection also of the flesh. Of these four different states, the first is before the Law, the second under the Law, the third under grace, the fourth in full and perfect peace. Thus also hath the people of God been appointed at intervals of times, according as it hath pleased God, *Who appointeth all things in measure and number and weight.* For it was at first before the Law; secondly under the Law, which was given by means of Moses; next under grace, which was revealed by means of the first coming of the Mediator. Which very grace was yet not wanting before, to those to whom it behooved that it should be imparted, although veiled and hidden according to the dispensation of the time. For neither could any of the elder just men find salvation otherwise than through the faith of Christ; nor yet, unless He had been known to them also, could He have been through their ministry prophesied of unto us, at one time more openly, at another time more obscurely. But in whatsoever of those four, as it were, ages, the grace of regeneration hath found any man, there are all his past sins forgiven him, and that state of condemnation which he hath contracted by his birth, is done away by his second birth. And so availing is it that *the Spirit bloweth where It will,* that some have never known that second servitude under the Law, but together with the command begin to possess a divine help. But before a man can be capable of the commandment, he must of necessity live according to the flesh: but if he have been already imbued in the sacrament of regeneration, it will in no way harm him, if he shall then pass out of this life. Because, *Therefore hath Christ died and risen again, that He may be Lord of the living and of the dead.* Nor shall the kingdom of death detain him, for whom He died Who is *free among the dead.*

32. All the divine commandments therefore are referred to Love, of which the Apostle says, *But the end of the commandment is Charity out of a pure heart, and a good conscience, and faith unfeigned.* The end therefore of every commandment is Charity; that is, every commandment is referred to Charity. But that which is so done, either from fear of punishment, or from any carnal design, as that it be not referred unto that Love which the Holy Ghost sheds abroad in our hearts, is not yet done as it behooves it to be done, although it seem so to be done. That is to say, this Love is the love of God and of one's neighbour, and assuredly, *on these two commandments hang all the Law and the Prophets.* Add the Gospel, add the Apostles: for from no other source is that saying, *The end of the commandment is charity,*

and *God is love.* Whatsoever things therefore God commands, whereof one is, *Thou shalt not commit adultery,* and whatsoever things are not commanded, but by spiritual counsel advised, whereof is one, *It is good for a man not to touch a woman,* are then done aright, when they are referred to the love of God and of our neighbour for the sake of God, both in this world, and in that which is to come: now God by faith, then by sight, and our very neighbour now by faith. For we mortals know not the hearts of mortals, but then, *the Lord shall bring to light the hidden things of darkness, and make manifest the thoughts of the heart, and every man shall have praise of God:* because that shall be praised and loved by one neighbour in another, which God Himself shall bring to light, that it be not hid. But lust decreases as charity increases, until it arrive here at such greatness, as that it cannot be greater. *For greater love hath no man, than that a man lay down his life for his friends.* But There who can unfold how great Charity will be, where shall be no lust for it even by restraining to overcome? since the greatest soundness shall be, when there shall be no strife of death.

But let this book at length come to an end, which you yourself will see to, whether you ought to call it, or to have it as, a Manual. But I judging your zeal in Christ not to be despised, believing and hoping good things of you with the help of our Redeemer, and loving you much in His members, have according to my ability, composed for you a book (I would it were as useful as it is long) concerning FAITH, HOPE, and CHARITY.

OXFORD TRANSLATION.

TYPICAL SYNODS AND CREEDS

SYNOD OF ELVIRA

(ILLUSTRATING the problems the Church had to meet.)

WHEN THE HOLY and religious bishops had met in session in the Church of Elvira twenty-six presbyters being in attendance, and the deacons and people in general being present, they decreed as follows:

I. *Concerning those who have sacrificed to idols after baptism.*

It was enacted by them that anyone of adult age who after faith in the baptism of salvation shall have gone to the temple of an idol to sacrifice and shall have made sacrifice—which is a capital crime,—since it is the greatest sin—shall not receive communion at his death.

II. *Concerning pagan priests who sacrifice after baptism.*

It is decreed that flamens [pagan priests] who after receiving the baptism of regeneration have sacrificed to idols—inasmuch as they have committed a double crime, adding murder to idolatry, or even a threefold crime, adultery being included—shall not receive communion at their death.

III. *Concerning those who have only made gifts to idols.*

Of flamens who have not made sacrifice, but have only given a gift, inasmuch as they have withheld themselves from the fatal sacrifice it is decreed that communion many be given to them in the end, if they have performed the lawful penance; but if they have committed adultery after the penance, it is decreed that communion shall not be given to them again, lest they seem to make sport of the divine communion.

IV. *When these as catechumens may be baptized if they sacrifice to idols.*

Again, if flamens have become catechumens and have kept themselves from sacrifices, it is decreed that they be admitted to baptism after a space of three years.

V. *If a mistress kill a slave in anger.*

If any woman, borne away by the fury of her wrath, has beaten her slave-woman with scourges so that she dies in suffering within

three days thereafter, inasmuch as it is uncertain whether it was by design or accident, it is enacted that if it was by design, the mistress shall be admitted to communion after seven years and the lawful penance, if by accident after five years; but if she falls sick within that time, let her have communion.

VI. *If anyone has killed a man by sorcery.*

If anyone has killed another by sorcery, since this cannot be done without idolatry, it is enacted that communion shall never be furnished him even at his death.

VII. *If those who have done penance for adultery sin again.*

If any one of the faithful, after falling into adultery and performing penance during the appointed time, has again committed adultery, it is decreed that he shall not have the communion at his death.

VIII. *Concerning women who leave their husband and wed others.*

Likewise women who leave their husbands without cause and unite with others, may not receive communion at their death.

IX. *Concerning women who leave adulterous husbands and marry others.*

Likewise a woman who leaves an adulterous husband to marry another is to be forbidden to marry; if she has married him let her not receive communion until the husband she left has departed this world,—unless perchance the extremity of illness makes it necessary to give it to her.

X. *If a woman abandoned by a catechumen marries another.*

If she whom a catechumen deserts marries again, she may be admitted to baptism; this is to be observed in regard to women catechumens. But if a woman of the faith has been married to a man who deserted a guiltless wife, she knowing that he had a wife whom he left without cause, it is enacted that communion may be given to her only at death.

XI. *If a woman catechumen falls seriously ill.*

If a woman catechumen becomes grievously ill within the five years [of her probation], it is decreed that baptism should be given and not denied.

XIII. *Concerning women who are guilty of pandering.*

If a woman, either a parent, or one of the faith, has been guilty of pandering, inasmuch as she has sold the body of another as well as her own, it is decreed that she may not receive communion even at her death.

XIII. *If virgins consecrated to God have been guilty of fornication.*

If virgins who have dedicated themselves to God have broken their oath of virginity and become enslaved to lust, not repenting of what they have committed, it is decreed that communion be not given to them even at death. But if women of this kind have fallen through persuasion or weakness of the flesh and have done penance through their whole life in abstaining from union, so that it seems the sin had been a slip, it is decreed that they may receive communion at the end.

XIV. *If virgins of the secular life have been guilty of fornication.*

If virgins who had not kept their virginity marry those who ravished them and keep them as husbands, inasmuch as they have broken only their nuptials, they should be reconciled to the communion after one year without penance, but if they take other husbands, inasmuch as they are thus guilty of adultery, it is decreed that they may be admitted to communion after five years when the lawful penance has been done.

XV. *Concerning marriage of Christian girls with the heathen.*

Christian virgins should not be given in marriage to the heathen because of the great number of girls, lest when their age breaks into bloom, it should lead them into adultery of the soul [that is, fall into heathenism].

XVI. *That women of the faith should not be married to unbelievers.*

If heretics will not come over to the Catholic church, girls of the Catholic faith should not be given them in marriage; but it is decreed that they be never given to Jews or heretics, inasmuch as there can be no association of the faithful with an unbeliever: if parents act against this prohibition, it is decreed that they abstain from communion for five years.

XVII. *Concerning those who give their daughters in marriage to heathen priests.*

If any parents unite their daughters to priests of idols, it is decreed that communion be not given them even in death.

XVIII. *If priests and ministers are guilty of adultery.*

If bishops, presbyters and deacons engaged in ministry are discovered to have been guilty of adultery, it is decreed because of the scandal and the profane crime that they should not receive communion

even at their death.

XIX. *Concerning clergymen engaging in business and markets.*

Bishops, presbyters and deacons should not depart from their stations for the purpose of trading; nor should they go about among the provinces to engage in markets for gain; for obtaining their own supplies let them send a son or a freedman or an agent or a friend or anyone else; and if they wish to trade, let them trade in their own province.

XX. *Concerning usurers of clergy and laity.*

If anyone of the clergy be found taking usury, it is decreed that he be degraded and forced to abstain from communion. If any layman be proved to have taken usury, and after being rebuked he shall have promised to cease from it nor exact it further, it is decreed that pardon be granted to him; but if he persists in that iniquity, he should be thrust out of the church.

If anyone living in the city has not come to church for three Sundays, let him be kept away for a short time, that he may seem to be reprimanded.

XXII. *If Catholics who fall into heresy return to the faith.*

If any member of the Catholic church as been converted to heresy, and has returned, it is decreed that penance should not be refused him, because he has seen his error; if he does penance for ten years, then communion should be given him; but if children have been led astray, since they did not sin by their own wickedness, let them be received straightway.

XXIII. *Concerning the time of fasts.*

It is decreed that the strict fasts are to be kept every month except during the days of July and August, because of the weakness of some.

XXIV. *That those who are baptized away from home should not attain to the clergy.*

It is decreed that all who are baptized away from home should not be promoted to the clergy in other provinces, because their life is not known.

XXV. *Concerning communicatory letters of confessors.*

All who have borne letters of confession bearing the name of the confessor, should be given letters of communion instead, since the glory of the name of confessor overawes all the simple.

XXVI. *That fast be observed every Sabbath.*

It is enacted that the error be corrected, so that we observe strict fast every Sabbath.

XXVII. *That clergymen do not have strange women in their homes.*

Let the bishop or any other clergyman have with him only a sister or a virgin daughter given to God: it is decreed that he should never have a strange woman.

XXVIII. *Concerning the offerings of non-communicants.*

It is enacted that a bishop ought not to receive a gift from one who is not a communicant.

XXIX. *How demoniacs are to be regarded in the church.*

The name of a demoniac who is disturbed by an evil spirit should never be read from the altar with the offering, nor should such an one be permitted to serve with his hand in the church.

XXX. *That those who have committed adultery after baptism be not created subdeacons.*

Those who have been guilty of adultery in their youth should not be ordained as subdeacons, since later they may be promoted to a higher grade by deception; and if any such have been ordained in the past, let them be removed,

XXXI. *Concerning youths who have committed adultery after baptism.*

It is decreed that youths who have committed adultery after the sacrament of baptism of salvation, when they have taken wives, may be admitted to communion, when the lawful penance has been done.

XXXII. *That communion be given to excommunicated presbyters in necessity.*

If anyone has fallen into danger of death by reason of grievous sin, it is decreed that his penance should lie not with the presbyter, but with the bishop; yet in cases of sickness it may be necessary for a presbyter to give communion, or a deacon if a priest orders him.

XXXIII. *That bishops and ministers should abstain from their wives.*

It is decreed that bishops, presbyters and deacons and all the clergy engaged in the service abstain entirely from their wives and do not create children; whoever does so, is to be shut off of his clerical honor.

XXXIV. *That candles be not burned in cemeteries.*

It is decreed that candles be not burned in the cemetery, that the spirits of the saints be not disquieted. Those who do not obey this, are to be driven from the communion of the church.

XXXV. *That women should not keep vigil in cemeteries.*

It is decreed that it be forbidden to women to keep vigil in the cemetery, since often sins are secretly committed under pretence of prayer.

XXXVI. *That there be no pictures in the church.*

It is decreed that there shall be no pictures in the church, lest what is worshipped and adored should be depicted on the walls.

XXXVII. *Concerning unbaptized demoniacs.*

It is granted that those who are vexed by unclean spirits may be baptized if they have come to the extremity of death; if they were of the faithful, communion should be given them. It is forbidden that they should burn lamps in public; if they act against this prohibition, let them be kept from communion.

XXXVIII. *That the faithful may baptize in cases of necessity.*

If he is sailing far from home, or if he is not near a Church, one of the faith, if he has kept his own baptism pure and is not bigamous, may baptize a catechumen who is brought to the extremity of sickness; on this condition that if the man survives, he should take him to the bishop that the laying on of hands be made perfect.

XXXIX. *If gentiles seek to be baptized in extremity.*

If gentiles desire that hands be laid on them in sickness, it is decreed that it be done and they be made Christians, if their life has been honorable in every way.

XL. *That the faithful should not receive anything pertaining to sacrifices to idols.*

It is decreed that it be forbidden to owners when they receive their accounts, to credit [the agent] with anything that has been given to an idol; if they do so after this prohibition, let them be kept from the communion for five years.

XLI. *That masters forbid their slaves to worship idols.*

It is decreed that the faithful be admonished to forbid the keeping of idols in their homes as far as possible; but if they fear the force of their slaves, and keep themselves pure [it may be forgiven?]; if they do not do this, let them be held as strangers by the church.

XLII. *When those who come to the faith should be baptized.*

It is decreed that those who come to the faith by belief for the first time, if their manner of life has been good, may be admitted to baptism after three years, unless in the urgence of sickness the case requires that it be given sooner to the one who is in danger and who seeks grace.

XLIII. *Concerning the celebration of Pentecost.*

It is decreed that an evil custom should be corrected in accordance with the authority of the Scriptures, so that we should all celebrate the day of Pentecost; lest if anyone should not do so, it should appear that a new heresy has arisen.

XLIV. *If pagan harlots are converted.*

It is decreed that a woman who was at one time a harlot and afterwards took a husband, may be received immediately.

XLV. *Concerning catechumens who do not frequent the church.*

It is decreed that one who was once a catechumen and has not come to church for a very long time, should not be denied baptism, if anyone of the clergy has known him to be a Christian, or if some of the faithful witness for him, inasmuch as he seems to have abandoned his old man.

XLVI. *Concerning the faithful who have repented after apostasy.*

If one of the faithful has become an apostate and has stayed away from church for a very long time, but has finally returned and ceased to be an idolator, it is decreed that he may receive communion after ten years.

XLVII. *Concerning the married man who frequently commits adultery.*

If any one of the faithful who has a wife is guilty of adultery, not once but often, he may be admitted to communion in the extremity of death; but if he has promised to cease, communion may be given him; if after his rehabilitation he has again committed adultery, it is decreed that he be not allowed to make sport further of the communion of peace.

XLVIII. *That the clergymen should not receive anything from those who are baptized.*

It is decreed that this error be corrected, so that those who are baptized should not put money in the vessel as has been the custom, lest the priest seem to sell for a price that which he received freely: nor should their feet be washed by priests or clergymen.

XLIX. *That the harvests of the faithful should not be blessed by Jews.*

It is decreed that owners be warned not to allow their harvests, which they receive from God by the action of His grace, to be blessed by Jews, lest they [the Jews] render ineffective and weak our benediction; if anyone has presumed to do this after this prohibition, let him be utterly cast out of the church.

L. *Concerning Christians who eat with Jews.*

If any clergyman or believer has taken food with Jews, it is decreed that he be kept from communion so that he may be corrected.

LI. *That heretics should not be promoted to the clergy.*

If a believer has come to the faith from heresy, he should not be promoted to the clergy; and if any have been ordained in the past, certainly they should be deposed.

LII. *Concerning those who place slanderous books in the church.*

Those who are found to have put scandalous books in the church are to be anathematized.

LIII. *Concerning bishops who give communion to one who has been excommunicated by another bishop.*

It is determined by all that one who has been guilty of any crime shall receive communion again only from that bishop by whom he had been forced to abstain; if another bishop presumes to admit him, without the knowledge or consent of that bishop by whom he was deprived, let him know that in so doing he stirs up strife between brothers, and endangers his own position.

LIV. *Concerning parents who break the promise of betrothal.*

If parents break the promise of betrothal, they are to be kept from communion for three years; but if the betrothed man or woman has been discovered in a serious crime, the parents will be held excused; if they have sinned together and polluted themselves, the former sentence is to be observed.

LV. *Concerning pagan priests who do not sacrifice.*

It is decreed that priests who only wear the crowns, but do not sacrifice nor give anything to idols at their own expense, may receive communion after two years.

LVI. *Concerning magistrates and duumvirs.*

It is decreed that magistrates who serve as duumvirs for one year should be forbidden to come to church.

LVII. *Concerning those who give their garments for adorning a display.*

Matrons or their husbands should not give their garments to adorn a worldly display; and if they do this they are to be kept from communion for three years.

LVIII. *That those who carry letters of communion should be interrogated as to their faith.*

It is enacted everywhere and particularly in the place where the chief cathedral of the bishopric is placed, that those who carry letters of communion should be interrogated as to whether they have been

tried in all things in their testimony.

LIX. *That believers should not go up to the capitol to sacrifice.*

It is forbidden that any Christian should go up and look upon the idol of the capitols for the purpose of sacrificing as the pagans do; but if anyone has done so, he is to be held equally guilty [with the pagan]; if he has been a believer he may be taken back after ten years when he has done penance.

LX. *Concerning those who are slain while destroying idols.*

If any one has been breaking idols and has been slain there, inasmuch as such action is not authorized by the gospel nor is it found that the apostles ever did such a thing, it is decreed that such an one should not be received among the number of the martyrs.

LXI. *Concerning those who marry two sisters.*

If anyone after the death of his wife marries her sister, she being herself a believer, it is decreed that he should be kept from communion for five years, unless perchance the extremity of sickness require that peace be given him sooner.

LXII. *If charioteers and pantomimists are converted.*

If a charioteer or a pantomimist desire to become a believer, it is decreed that he must first renounce his calling, and then he may be received, on condition that he should never return to it; if they disobey this injunction, let them be cast out of the church.

LXIII. *Concerning wives who slay the children conceived in adultery.*

If any woman conceives in adultery in the absence of her husband, and then after that crime kills the child, it is decreed that communion shall never be given even in death, inasmuch as she has committed a twofold crime.

LXIV. *Women who continue in adultery with the husbands of others up to their death.*

If any woman has continued to be guilty of adultery with the husband of another up to her death, it is decreed that communion should not be given her at death; but if she has left him, let her receive communion after the penance has been done and ten years have passed.

LXV. *Concerning the adulterous wives of clergymen.*

If the wife of any clergyman has been guilty of adultery and he has known of it and has not immediately put her away, let him not receive communion at his death, lest instruction in crime should seem to come from those who ought to be examples of right living.

LXVI. *Concerning those who marry their step-daughter.*

If any one takes his step-daughter to wife, it is decreed that communion shall not be given him in death, inasmuch as he has committed incest.

LXVII. *Concerning the marriage of a woman catechumen.*

It is forbidden that any woman of the faith or a catechumen should have hair dressers and hair curlers; whoever do so, let them be driven from the communion.

LXVIII. *Concerning a catechumen adulterous woman who kills her child.*

If a catechumen woman has conceived through adultery and has strangled her child, it is decreed that she be baptized only at her death.

LXIX. *Concerning married men who have afterward fallen into adultery.*

If a man after marrying has fallen into adultery once, it is decreed that he shall do penance for five years and thus be reconciled, unless the extremity of sickness make it necessary for communion to be given to him before that time; this is to be observed also toward women.

LXX. *Concerning women who are guilty of adultery with the knowledge of their husbands.*

If a woman has committed adultery with the knowledge of her husband it is decreed that communion shall not be given him even in death; but if he leaves her, let him receive communion after ten years, if he has kept her in his house any time after he knew she was adulterous.

LXXI. *Concerning debauchers of boys.*

Communion shall not be given even at death to debauchers of boys.

LXXII. *If adulterous widows later marry the same men.*

If any widow has committed adultery and later marries the same man, after doing penance for five years it is decreed that she may be admitted again to communion; if she has left him and married another, let her not receive communion even in death; and if he whom she married was one of the faith, let him not receive communion, until he has done the lawful penance for ten years, unless sickness require that communion be given sooner.

LXXIII. *Concerning informers.*

If any believer becomes informer and anyone has been proscribed or slain by means of his information, it is decreed that he shall not receive communion even in death; if the case be not so serious, he may be given communion after five years; if the informer was a catechumen, he may be admitted to baptism after five years.

LXXIV. *Concerning false witnesses.*

A false witness is to be kept from communion according to his offense; if he testified in a case that is not capital, and if he proves that he was not allowed to keep silence [was forced to testify?], he shall be kept from communion two years; if however he cannot prove this to the convention of the clergy, it is decreed that he shall be kept out for five years.

LXXV. *Concerning those who accuse priests or ministers and do not prove the charge.*

If any one has assailed a bishop or a presbyter or a deacon with false accusations of crime, and cannot prove his charge, communion shall not be given him even in death.

LXXVI. *If deacons are proved to have sinned before being raised to honor.*

If anyone has allowed himself to be ordained a deacon, and afterwards it is discovered that he at one time committed a mortal sin, if he confesses of his own will, it is decreed that he may receive communion after doing the lawful penance for three years; but if another discovers his guilt, he aught to receive only the lay communion after doing penance five years.

LXXVII. *Concerning the baptized who die before they are confirmed.*

If any deacon ruling a people without bishop or presbyter, has baptized any, the bishop should complete the work in them; but if they depart this world before that can be done, anyone of them who believed is justified by his faith.

LXXVIII. *If married people of the faith commit adultery with Jews or heathens.*

If a believer having a wife, commits adultery with a Jewish or heathen woman, let him be driven from the communion; but if another discover his guilt, he may be admitted to the Lord's communion only after doing the lawful penance for five years.

LXXIX. *Concerning those who play.*

If one of the faithful play for money with the dice, that is, at the gaming board, it is decreed that he shall be kept from communion; and if he correct his fault and cease from playing, he may be admitted to communion again after one year.

LXXX. *Concerning freedmen.*

It is forbidden that freedmen whose patrons are living should be promoted to the clergy.

LXXXI. *Concerning the letters of women.*

Women should not presume to write letters to laymen in their own names and not in the names of their husbands; nor should they receive friendly letters from anyone addressed to their names alone.

THE NICAENO-CONSTANTINOPOLITAN CREED

I believe in one God, the Father Almighty; Maker of heaven and earth, and of all things visible and invisible.

And in one Lord Jesus Christ, the only-begotten Son of God, begotten of the Father before all worlds, God of God, Light of Light, very God and very God, begotten, not made, being of one substance with the Father; by whom all things were made, who for us men and for our salvation came down from heaven and was incarnate by the Holy Ghost of the Virgin Mary, and was made man; and was crucified also for us under Pontius Pilate; He suffered and was buried; and the third day He rose again according to the Scriptures; and ascended into heaven, and sitteth on the right hand of the Father; and He shall come again, with glory, to judge both the quick and the dead, whose kingdom shall have no end.

And I believe in the Holy Ghost, the Lord and Giver of Life; who proceedeth from the Father and the Son; who with the Father and the Son together is worshiped and glorified; who spake by the Prophets. And I believe in one Holy Catholic and Apostolic Church. I acknowledge one Baptism for the remission of sins; and I look for the resurrection of the dead, and the life of the world to come. Amen.

THE ATHANASIAN CREED

1. Whoever will be saved, it is necessary above all else that he hold to the Catholic Faith.

2. Unless each one keep this whole and unbroken, he shall without doubt perish into eternal death.

3. And the Catholic Faith is this: That we worship one God in the Trinity, and the Trinity in Unity;

4. Neither confounding the persons, nor distinguishing the essence.

5. For the Father is one Person, the Son another, and the Holy Ghost another.

6. But there is one Divinity of the Father, of the Son, and of the Holy Ghost, an equal Glory, and a coeternal Majesty.

7. Such as is the Father, such is the Son, and such the Holy Ghost.

8. The Father uncreated, the Son uncreated, the Holy Ghost uncreated.

9. The Father infinite, the Son infinite, the Holy Spirit infinite.

10. The Father eternal, the Son eternal, the Holy Ghost eternal.

11. And yet there are not three eternals, but one eternal (God).

12. As also they are not three but one uncreated, not three but one infinite (God).

13. So likewise the Father is Almighty, the Son Almighty, and the Holy Ghost Almighty.

14. And yet they are not three Almighties, but one Almighty.

15. So the Father is God; the Son is God, and the Holy Ghost God.

16. And yet there are not three, but one God.

17. So likewise the Father is Lord, the Son Lord, and the Holy Ghost Lord.

18. And yet not three Lords, but one Lord.

19. For just as we are compelled by Christian truth to confess each Person individually to be God and Lord;

20. So we are prohibited by the Catholic Religion to speak of three Gods or three Lords.

21. The Father has been made by none, nor created nor begotten.

22. The Son is from the Father only; not made nor created, but begotten.

23. The Holy Ghost is from the Father and the Son, not made, nor created, nor begotten, but emanating.

24. So there is one Father, not three; one Son, not three; one Holy Ghost, not three.

25. And in this Trinity, there is no before nor after, no greater or less.

26. But the whole three Persons are coeternal and coequal.

27. So that in every way, as before stated, the Unity is to be worshiped in Trinity and the Trinity in Unity.

28. Whoever wills to be saved, then, let him believe in this way concerning the Trinity.

29. But it is also necessary for eternal salvation that he should believe faithfully in the incarnation of our Lord Jesus Christ.

30. The true faith is, then, that we believe and confess that our Lord Jesus Christ, the Son of God, is alike God and Man.

31. God, of the essence of the Father, begotten before the worlds, and Man, of the Substance of his Mother, born in the world.

32. Perfect God and perfect man, made of a reasonable soul and human flesh.

33. Equal to the Father as to Divinity, less than the Father from the point of view of his manhood.

34. Although He is both God and man, yet He is not two but one Christ.

35. One moreover, not by the change of Divinity into flesh, but by the assumption of manhood into his Divinity.

36. One, all in all, not a mixture of essences, but a unity of Person.

37. For as the reasonable soul and flesh is one man, so God and man is one Christ.

38. Who suffered for our salvation; descended into the lower world, rose again the third day from the dead.

39. He ascended into heaven, He sitteth at the right hand of God the Father Almighty.

40. Whence He shall come to judge the living and the dead.

41. At Whose coming all men have to rise again with their bodies;

42. And are to give an account of their deeds.

43. And they that have done good shall go into eternal life, but they that have done evil into everlasting fire.

44. This is the Catholic Faith: unless each believe it rightly and firmly, he cannot be saved.

LEO I. AND THE PETRINE THEORY OF THE PAPACY

440-461 A. D.

TO THE BISHOPS OF THE PROVINCE OF VIENNE. IN THE MATTER OF HILARY, BISHOP OF ARLES

To his beloved brethren, the whole body of bishops of the province of Vienne, Leo, Bishop of Rome.

1. Our Lord Jesus Christ, Saviour of mankind, has so instituted the worship of the divine religion, which he wished by the grace of God to shine upon all people and all nations, that the truth which was formerly confined to the announcement of the Law and the Prophets should go out to the salvation of the whole world, through the trumpet of the apostles, as it is written: "Their sound has gone out into every land, and their words unto the ends of the world." (Ps. XIX, 5.) But the sacrament of this duty the Lord wished to belong to all the apostles in such a way that the principal duty should fall on the most blessed Peter, chief of all the apostles, and he desired that his gift should flow from him [Peter] as from the head to the whole body, so that he who should dare to depart from this foundation of Peter should know that he has no share in the divine mystery. And so the Lord wished to name him whom he took up into his undivided unity, what he really was, saying: "Thou art Peter, and upon this rock I will build my church," so that the building of the eternal temple, by the marvelous gift of the grace of God, might rest on the solid foundation of Peter; strengthening his church by this firmness so that human rashness should never attack it nor the gates of hell prevail against it. . .

2. . . . . So let your brotherhood recall as we do that the Apostolic See, because of the reverence paid to it by the bishops of your province, has been consulted in very many affairs, and in the appeal of various cases, as the ancient custom warrants, it has reversed or confirmed decisions: so that "the unity of the spirit in the bond of peace" has been preserved and by the interchange of letters our holy activity has promoted perpetual love: since our solicitude, seeking not

its own, but the things of Christ, has not offended the power given both to the churches and the priests of the churches. But Hilary has departed from this course, which our ancestors so well kept to and so wisely guarded, and is likely to disturb the position of the churches and the concord of the priests by his new presumptions, desiring so to subject you to his power that he may not be made subject to the Apostle Peter, claiming for himself the ordinations of all the churches in Gaul, and transferring to himself the dignity belonging to metropolitan bishops; thus diminishing by his arrogant claims the reverence owed to the most blessed Peter, to whom was given before the others the power of loosing and binding, and the special care of feeding the sheep. Whoever thinks this leadership should be denied to him, is not able in any way to diminish Peter's dignity, but puffed up with the spirit of his pride, loses himself in the depths of hell.

2. When other bishops differ from the bishop of Thessalonica, let the bishop of Rome be consulted.

If the opinion of the brothers differs from yours in any matter which you believed should be discussed and settled with them, let everything be referred to us with the records of the proceedings, so that all differences may be removed and what is pleasing to God may be decided. . . . . For the cementing of our unity cannot be enduring, unless the Lord of love has bound us together in inseparable solidity: since "as in one body we have many members, but all members have not the same office; so we being many are one body in Christ, and all of us members one of another." The connection of the whole body produces one health, one beauty; and this connection of the whole body requires unanimity, but especially agreement among the priests. Although they have a common dignity, yet they have not a common rank; for even among the blessed apostles along with an equality of honor, there was a certain distinction of authority, and while the choice of all was of equal force, it was given to one to lead the rest. From this example has arisen also a distinction among bishops, and it has been provided by an important ordinance, that all should not claim all things for themselves, but that there should be one in each province whose opinion should be first among the brethren; and again that certain ones in the larger cities should be given still greater authority, through whom the care of the whole church should converge to the one chair of St. Peter, and no part should ever be separated from its head.

3. If he (Anatolins, bishop of Constantinople) will observe this,

I promise that my heart will be bound to him, and that the love of the Apostolic See, which has ever been devoted to the Church of Constantinople, shall never be broken by any change. For even if rash rulers fall into error, the purity of the Chuch of Christ remains. But the opinions of the bishops, refusing to acknowledge the rules of the holy canons given at Nicaea, we with the agreement of your piety declare null, and by the authority of the blessed Peter the apostle entirely revoke by a general definition, following in all ecclesiastical matters the laws which the Holy Spirit instituted by the 318 bishops: so that even if many more than that number should decide anything different yet whatever was opposed to their decree would have to be held in no respect.

4. . . . . When I look upon this most splendid gathering of my venerable fellow-priests, I feel that among so many saints together there is a meeting of angels. Nor do I doubt that we are visited to-day by more abundant grace of the divine presence, when so many precious tabernacles of God, so many intimate members of the excellent body of Christ are present together and are shining with single light. Nor, I believe, is the affectionate consideration and faithful love of the most blessed apostle Peter absent from this meeting: he has not neglected your devotion in whose honor you are come together. He also rejoices in your affection, and delights in your observance of the institution of the Lord as shown towards the partakers of His honor, approving of the well-ordered love of the whole church, which perceives Peter in the chair of Peter, and because of the love of so great a shepherd does not grow lukewarm in affection for even so inferior a successor.

MONASTICISM

ST. BENEDICT'S MONASTIC RULE

ABOUT 630 A. D.

HEARKEN, oh sons, to the commands of the Master, and receive gladly the admoniton of a pious father and fulfill it, that by the work of obedience you may return to him from whom you have departed through the negligence of disobedience.

Now is my word directed to you who renounce your own wills in order to serve our king, the Lord Christ, and take on the mighty weapons of service, first that you should pray without ceasing that whatever good thing you have begun to do may be completed by Him.

Again, that we who have been deemed worthy to be counted among His sons should not be cast down by reason of our evil doings, for we ought to obey Him in all time for His goodness to us, that not only He may not as an irate Father disinherit us, His children, but also that He may not as a dread Lord angered by our evil-doing hand us over as most wicked servants to eternal punishment, who were not willing to follow Him to glory.

Let us arise, therefore, as the Scripture exhorts us, saying; "Now is the hour to arise from slumber;" and with our eyes open to the divine light, let us hear with astonished ears the divine voice which warns us, saying: "To-day if ye will hear His voice, harden not your hearts;" and again it says: "Who hath ears to hear, let him hear what the Spirit says to the churches." And what does it say? "Come, sons, listen to me, I will teach you the fear of God; run, while you have the light of life, lest the shades of death encompass you."

And the Lord seeking in the multitude of the people his workman to whom He says this, says again: "Who is the man who wishes for life and desires to see good days?" But if you hearing Him answer "I," God says to you: "If thou wouldst have the true and eternal life, keep thy tongue from evil, and thy lips from speaking guile; turn from evil and do good; seek after peaec and follow it. And when you shall have done this My eyes are upon thee, and My ears are open

to thy prayers, and before thou callest on Me, I will say to thee, 'Lo, here am I,' ". What can be dearer to us, beloved brethren, than the voice of God calling us to Him? Behold, by His piety the Lord shows us the way of life. Therefore, with our loins girt about with faith and the observance of good deeds, and our feet shod with the preparation of the gospel of peace, let us press on our way, that we may be worthy to see Him in His kingdom who has called us. If you wish to dwell in the tabernacle of His kingdom, it will never come about, unless you make your way thither by good deeds.

But let us ask the Lord in the words of the prophet, saying to Him: "Lord, who shall dwell in Thy tabernacle or who shall rest in Thy holy mountain? And after asking this question, brethren, let us hark to the Lord replying and showing us the way to His tabernacle, saying: "He who walks without stain and does justice; who speaks truth in his heart and does no guile with his tongue; who has not done evil to his neighbor; who has not had hatred of his neighbor; who casting out the evil one from his heart has brought him to nothing and counted his thoughts as worthless and broken him to pieces on Christ; those who fearing the Lord are not puffed up by their own good works, but knowing that those good things could not be done by themselves, but by the Lord, magnify the Lord working in them, saying with the prophets: "Not to us, oh Lord, not to us, but to Thy name give the glory;" just as the Apostle Paul attributed nothing to himself of his preaching, saying: "Thanks be to God, that I am what I am;" and again the same one says: "Let him who glories, glory in the Lord." Whence also the Lord says in the gospel: "He who hears My word and does them, I will liken to a wise man who built his house upon a rock; the floods came and the winds blew and beat upon that house, and it fell not because it was founded upon a rock."

Since the Lord has done this He is waiting for us to reply to these His holy warnings to us. Therefore, for the correction of the sins of this life, our days are prolonged for us for a respite, as the apostle says: "Know you not, that the patience of God leads you to repentance?" For the good Lord says: "I desire not the death of the sinner, but that he should repent and live."

Therefore our hearts and bodies should be prepared to obey His holy commands, and what is not possible for our nature, let us ask God for the aid of His grace to minister unto us. And if we wish to escape the punishment of hell, and attain to eternal life, while we are

still in the body and there is still time to do all these things in this life, we must so walk and so live only as to fit ourselves for eternity.

Therefore we are constrained to found a school for the service of the Lord. In its organization we hope we shall ordain nothing severe, nothing burdensome; but if there should result anything a little irksome by the demands of justice for the correction of vices and the persevering of charity, do not therefore, through fear, avoid the way of salvation, which cannot be entered upon save through a narrow entrance, but in which, as life progresses and the heart becomes filled with faith, one walks in the unspeakable sweetness of love; but never departing from His control, and persevering in His doctrine in the monastery until death, let us with patience share in the sufferings of Christ, that we may be worthy to be partakers in His kingdom.

1. *Concerning the Kinds of Monks.*

There are four classes of monks: The first is of the Carobites, that is, the monk of the monastery serving under rule and under an abbot. The second class is of anchorites, that is, those hermits who, not by the fresh zeal of conversion but by the long discipline of the monastery, have learned to strive against the devil, and now taught by the example of many and well-prepared, have withdrawn from the brotherly band to take up the single battle of the hermit, and secure in themselves without the aid of another, are able with the aid of God to carry on the warfare against the vices of the flesh and their own vain thoughts by their single hand and arm.

But the third and the most abominable class of monks is that of the Sarabaites, who not being tested by any monastic rule or taught by experience, neither being tried as gold in the furnace, but softened after the manner of lead, keep faith with the world by their works, but lie to God in wearing a tonsure: who are shut up by twos and threes or even singly in their own folds, and not in the folds of the Lord, without a shepherd: the satisfaction of their desires is their law, since what they themselves think or desire they call holy, and what they do not like they call unlawful. And the fourth class of monks is of those called wandering, who pass their lives in being entertained three or four days at a time throughout the various provinces in different monasteries, always on the road, never settled, seeking their own wills and the delights of gluttony, and in every way worse even than the Sarabaites; of whose manner of life it is better to be silent than to speak.

Therefore passing over these things, let us now proceed, with the

help of God, to a consideration of the best class, that of the Cenobites.

2. *What the abbot should be like.*

The abbot who is worthy to rule a monastery ought to remember by what name they are called, and to justify by their deeds the name of a superior. For he is believed to take the place of Christ in the monastery, since he is called by his name, as the apostle says: "Ye have received the spirit of adoption of sons, whereby we call, Abba, Father."

And so the abbot ought not (God forbid) to teach or decree or order anything apart from the precept of the Lord; but his rules and his teaching ought always to be leavened with the leaven of divine justice in the minds of his disciples; and let the abbot be always mindful that in the great judgment of God, both his teaching and the obedience of his disciples will be weighed in the balance. And let the abbot know that whatever the master finds lacking in the sheep will be charged to the fault of the shepherd. Only in case the pastor has shown the greatest diligence in his management of an unruly and disobedient flock, and has given his whole care to the correction of their evil doings, will that pastor be cleared at the judgment of God and be able to say with the prophet, "I have not hid thy righteousness within my heart, I have declared thy faithfulness and thy salvation, but they despising have scorned me;" then let the punishment of eternal death itself fall upon the disobedient sheep of his care.

Therefore when anyone takes on himself the name of abbot, he should govern his disciples by a twofold teaching, that is, let him show forth all the good and holy things by his deeds rather than by his words; to ready disciples he ought to set forth the commands of God in words, but to the hard of heart, and to the simple-minded he ought to illustrate the divine precepts in his deeds. And all things which he has taught his disciples to be wrong, let him demonstrate in his action that they should not be done, lest sometime God should say to him, a sinner: "Why dost thou declare my statutes or take my testimony in thy mouth? Thou hast hated instruction and cast My word behind thee;" and again: "Thou who hast seen the mote in thy brother's eyes, hast not seen the beam in thine own eye."

Let him not be a respecter of persons in the monastery. Let not one be loved more than another, unless he shall have found someone to be better than another in good deeds and in obedience; let not a freeman be preferred to one coming from servitude, unless there be some good and reasonable cause; but if according to the dictates of

justice it shall have seemed best to the abbot, let him do this with anyone of any rank whatsoever; otherwise let each keep his own place, since, whether bond or fre, we are all one in Christ, and under one God we bear the same burden of service, for there is no respect of persons with God; only in this regard are we distinguished with him if we are found better and more humble than others in our good deeds. Therefore let his love for all be the same, and let one discipline be put upon all according to merit.

In his teaching the abbot ought always to observe the rule of the apostle, where he says: "Reprove, rebuke, exhort;" that is, mingling reasons with reasons, blandishments with terrors, let him show at the same time the feeling of a severe master and loving father; that is, he should rebuke severely the unruly and turbulent, beseech the obedient and gentle and patient to do even better, and admonish and reprove the negligent and indifferent. And let him not pass over the sins of the erring, but as soon as they begin to appear let him tear them up by the roots, that he may prevail, mindful of the danger of Eli the priest of Shiloh. And let him reprove with words the more honorable and receptive minds, with one or even two warnings, but the wicked and hard and proud and disobedient let him restrain at the very outset of their sin with punishment of the body as with stripes, knowing how it is written: "A fool is not corrected by words," and again: "Strike thy son with the rod, and thou shalt deliver his soul from death."

The abbot ought always to remember what he is and what he is called, and to know that from him to whom more is committed, more is required. And let him understand how difficult and arduous a thing he has undertaken, to rule the souls and preserve the morals of man, one with praise, another with rebuke, and another by persuasion; and let him so conform and adapt himself to all according to the nature and intelligence of each one, that not only shall the flock committed to him not suffer injury, but also that he may rejoice in the growth of a good flock.

Above all, let him not neglect or belittle the saving of the souls committed to him and give more heed to transitory and earthly and mortal affairs, but let him ever recall that he has undertaken to care for souls, for whom he must render account. And, that he may not dispute about things of minor importance, let him remember what is written: "Seek ye first the kingdom of God and his righteousness and all these things shall be added unto you;" and again, "They that fear Him, shall lack nothing." And let him know that since he has undertaken to rule

over souls, he must prepare himself to give account, let him know also that, whatever number of brothers he may have under his care, he must account to God in the day of judgment for the souls of every one of them, his own included. And so always having before him the fear of the future questioning of the shepherd concerning the sheep entrusted to him, let him at the same time keep free from the affairs of others and keep careful account of his own; and when by admonitions he administers correction to others, let him correct himself of his sins.

3. *About calling the brothers to council.*

Whenever anything especial is to be done in the monastery, the abbot shall convoke the whole body and himself set forth the matter at issue. And after listening to the advice of the brothers, he shall consider it by himself, and shall do what he shall have judged most useful. Now we say all should be called to the council, because the Lord often reveals to the younger brother what is best to be done.

But let the brothers give advice with all subjection of humility and not presume to defend boldly what seemed good to them, but rather rely on the judgment of the abbot, and all obey him in what he has judged to be for their welfare. But just as it is fitting that the disciples obey the master, so is it incumbent on him to dispose everything wisely and justly.

Therefore, let all follow the rule of the master in all things, and let no one depart from it rashly; let no one in the monastery follow the desire of his own heart. And let no one strive with his abbot shamelessly either within or without the monastery; and if he shall have presumed to do so, let him be subjected to the regular discipline. And let the abbot himself do all things in the fear of God and in the observance of the rule, knowing that he must without doubt render account unto God, the most just judge, for all his judgments.

If there are any matters of minor importance to be done for the welfare of the monastery, let the abbot take the advice only of the elders, as it is written: "Do all things with counsel, and after it is done thou wilt not repent."

4. *What are the instruments of good works.*

In the first place, to love the Lord God with the whole heart, whole soul, whole strength, then his neighbor as himself.

Then not to kill, not to commit adultery, not to steal, not to covet, not to bear false witness, to honor all men, and what anyone would not have done to him, let him not do to another. To deny himself, that he may follow Christ, to chasten the body, to renounce luxuries, to

love fasting. To relieve the poor, to clothe the naked, to visit the sick, to bury the dead, to help in tribulation, to console the afflicted.

To make himself a stranger to the affairs of the world, to prefer nothing before the love of Christ, not to give way to anger, not to bear any grudge, not to harbour deceit in the heart, not to forsake charity, Not to swear, lest haply he perjure himself, to utter truth from his heart and his mouth. Not to return evil for evil, not to do injuries, but rather to bear them patiently, to love his enemies, not to curse again those who curse him, but rather to bless them, to endure persecution for righteousness' sake. Not to be proud, not given to wine, not gluttonous, not addicted to sleep, not slothful, not given to murmur, not a slanderer. To committ his hope to God; when he sees anything good in himself to attribute it to God, and not to himself, but let him always know that which is evil in his own doing, and impute it to himself. To fear the day of judgment, to dread hell, to desire eternal life with all spiritual longing, to have the expectation of death every day before his eyes. To watch over his actions at all times, to know certainly that in all places the eye of God is upon him; those evil thoughts which come into his heart to dash to pieces on Christ, and to make them known to his spiritual senior. To keep his lips from evil and wicked discourse, not to be fond of much talking, not to speak vain words or such as provoke laughter, not to love much or violent laughter. To give willing attention to the sacred readings, to pray frequently every day, to confess his past sins to God, in prayer, with tears and groanings; from thenceforward to reform as to those sins.

Not to fulfill the desires of the flesh, to hate his own will, in all things to obey the commands of the abbot, even though he himself (which God forbid) should do otherwise, remembering our Lord's commands: "What they say, do; but what they do, do ye not." Not to desire to be called a saint before he is one, but first to be one that he may be truly called one; every day to fulfill the commands of God in his deeds, to love chastity, to hate no one, not to have jealousy nor envy, not to love contention, to avoid self-conceit; to reverence seniors, to love juniors, to pray for enemies in the love of Christ, to be reconciled with his adversary, before the going down of the sun, and never to despair of the mercy of God.

Behold, these are the tools of the spiritual craft; when these things shall have been done by us night and day without ceasing, and shall have been reckoned up on the day of judgment, that reward will be given to us by the Lord which He Himself has promised: "What the

eye has not seen, nor the ear heard, and what has not entered into the heart of man, whatsoever things God has prepared for those who love Him." And where we perform all these services diligently, there are the cloisters of the monastery and there is stability in the congregation.

5. *Concerning obedience.*

The first grade of humility is obedience without delay. This is becoming to those who hold nothing dearer to them than Christ. Because of the holy service which they have professed, and because of the fear of hell and the glory of eternal life, as soon as anything is commanded by a superior, as if it were a divine command let them suffer no delay in doing it. Of such the Lord says: "As soon as he heard, he obeyed Me;" and again He says to the learned men: "He who heareth you heareth Me."

Now such as these, with the ready foot of obedience, should let their acts follow straight upon the word of Him who commands them, leaving their own affairs and abandoning their own will, with emptied hands and leaving undone what they were doing; so that both the aforesaid command of the master and the completed work of the disciple quickly succeed one another with the swiftness of the fear of God.

Those who are actuated by the desire of advancing to eternal life, in this manner enter upon the narrow way (of which the Lord says: "Narrow is the way which leadeth unto life"), so that they live not according to their own opinions nor obey their own wills, but walking in the judgment of another and living under guidance in the monasteries, are content to be controlled by the abbot. Surely such as these follow that declaration of the Lord, in which He says: "I am not come to do My own will, but the will of Him who sent Me." And this obedience will then be acceptable to God and dear to men, if what is commanded is done not fearfully nor half-heartedly nor slowly, nor with the complaint and remonstrance of unwilling servant; for the obedience which is given to one's superiors, is given to God, for He himself says, "Whoso heareth you, heareth Me." And this obedience should be given by the disciple with willing hearts, since "God loveth a cheerful giver;" for if the disciple obey with unwilling heart, and if he murmurs not only with his mouth but also in his heart, even though he fulfills the command, yet will his act be not accepted of God who looks upon the complaining heart; and such an one will gain no grace for his deed, but rather will receive the punishment of those who murmur, unless he mend his ways and make satisfaction.

6. *Concerning silence.*

Let us do as the prophet says: "I have said, I will take heed to my ways that I sin not with my tongue, I have placed a guard upon my mouth, I was dumb and humbled, I have kept silence even from good." This is what the prophet sets forth: if for the sake of silence, one ought to refrain even from good words, how much more ought one to cease from evil words because of the penalty of sin.

Therefore, small licence should be given to tried disciples, of speaking, even though it be good and holy words of edification, because of the value of silence; as it is written: "Thou will not escape sin by much speaking;" and in another place: "Death and life are in the power of the tongue." For it is the part of the master to speak and to teach, that of the disciple to be silent and hear. And so if anything is to be asked of the former, let it be done with all reverence, lest the disciple seem to say more than is fitting. But scurrilities and vain words and such as move to laughter we condemn with an eternal prohibition in all places, nor do we permit the disciple to open his mouth for such talk.

7. *Concerning humility.*

The Scripture calls to us, brethren, saying: "Everyone that exalteth himself, shall be humbled, and he that humbleth himself shall be exalted." In this saying, he shows us that all exaltation is a kind of pride; the prophet shows that he avoids this, saying: "Oh Lord, my heart was not exalted, nor my eyes lifted up; nor have I walked in the way of the great and marvelous above me. But what then, if I did not feel humbly, but exalted my soul? As a child weaned of its mother, so wilt thou repay it upon my soul."

Wherefore, brethren, if we wish to attain to the height of the greatest humility, and to that divine exaltation which is attained by the humility of this present life, we must mount by our own acts that ladder which appeared in a dream to Jacob, upon which angels appeared unto him ascending and descending. For that ascent and descent can only be understood by us to be this: to ascend by humility, to descend through pride. For that ladder erected on high is our life in this world, which is erected to heaven by the Lord for the humble of heart; the aides of this ladder are our body and soul; upon which the divine calling has fixed various steps of humility and discipline by which to ascend.

Now the first grade of humility is this: keeping the fear of God before his eyes, let him avoid forgetfulness and ever remember all the

precepts of the Lord; and continually consider in his heart that eternal life which is prepared for those who fear God, just as the mockers of God fall into hell.

And keeping himself every hour from sins and vices; namely, of his thoughts, his tongue, his eyes, his hands and his feet, let him be zealous to cut off his own will and the desires of the flesh, and let him recall that man is ever watched from heaven by God, and his deeds are seen in the sight of God everywhere, and are announced every hour by the angels, as the prophet tells us when he shows that God is ever present in our thoughts, saying "God looking upon the heart and the reins;" and again: "the Lord knows the thought of men." And again he says: "Thou hast understood my thoughts from afar;" and "For the thought of man will be acknowledged unto thee." And that he may be ever anxious about his perverse thoughts, let the wise brother ever say in his heart: "Then shall I be clean in His sight, if I shall keep myself from mine iniquity."

We forbid him to do his own will, since the Scripture says to us: "Turn also from thine own desires," and so let us ask God in prayer, that His will be done in us. So we are rightly taught not to do our own will, that we may avoid what the holy Scripture says: "These are the ways which are considered right by men, the end of which reach down even to the depth of hell;" and that we may also beware of that which is written of the negligent: "They are corrupted and become abominable through their own desires."

But let us believe that God is ever present in the desires of the flesh, as the prophet says to the Lord: "All my desire is before thee." And so we should beware of evil desire, for death is placed at the entering in of lust, of which the Scripture teaches, saying: "Go not thou after thine own lusts."

Therefore, if "the eyes of God look upon the good and the wicked," and the Lord ever gazes from heaven upon the sons of men to see if anyone is wise and seeking after God, and if our works are announced day and night o God our Maker by the angels assigned to us;—we should beware everywhere, brethren, lest the Lord at some time look down upon us as we are departing into evil and are become useless, and lest, sparing us at that time, because He is kind and desires us to turn to well-doing, He be forced to say in the end: "Thou hast done this, and I kept silence."

This is the second grade of humility, if one loves not his own way, nor delights in obeying his own desires, but comes out in his life that

word of God, in which He says: "I came not to do My own will, but His who sent Me." And again the Scripture says: "Lust hath its punishment, and necessity prepares a crown."

This is the third grade of humility, that one in the love of God subject himself to every obedience to his superior, following the example of the Lord, of whom the apostle says: "Becoming obedient to the father, even unto death."

The fourth grade of humility is this: if in that obedience one endures silently hard and unjust things and every infliction whatsoever, and becomes not weary in suffering nor falls from the way, as the Scripture says: "He who shall have persevered to the end, shall be saved;" and again, "Strengthen thou thy heart and endure the Lord." And to show that the faithful ought to endure all hurtful things for the Lord, He says in the person of one who suffers: "For Thy sake we are killed all the day long, we are counted as sheep for the slaughter," and yet secure in the hope of divine reward, they persevere with rejoicing, saying: "But in all things we conquer through Him who loves us"; and again the Scripture says in another place: "Oh God, Thou hast proved us, Thou hast tried us with fire, as silver is tried with fire: Thou hast led us into the net, Thou hast placed tribulations upon our back;" and to show that we should be under the control of a prior, he continues saying: "Thou hast placed men above our heads." And again those obey the command of the Lord in adversity and injury with patience, who being smitten on the cheek, give the other cheek also, who to him who takes their coat give up their cloak also, who being compelled to go a mile, go two, who with the apostle Paul suffer for their false brethren and endure persecution and bless them that curse.

The fifth grade of humility is this, if one reveals to the abbot in humble confession all the vain imaginings that come into his heart, and all the evil he has done in secret, as the Scripture exhorts us to this saying: "Reveal to the Lord thy way and trust in him;" and again it says: "Confess thou to the Lord, for He is good, for His mercy endureth forever;" and likewise the prophet says: "I acknowledged my sin unto Thee, and mine iniquity have I not hid; I said, I will confess my transgressions unto the Lord; and thou forgavest the iniquity of my sin."

This is the sixth grade of humility, if a monk be contented with all lowliness and extremity and consider himself as a poor workman unworthy of all things which are commanded to him, saying with the

prophet: "I was reduced to nothing and was ignorant; I was as a beast before Thee, and I am always with Thee."

This is the seventh grade of humility, if he not only declare himself with his tongue to be more worthless and vile than all things, but also believe it in the most intimate feeling of his heart, humbling himself and saying with the prophet: "But I am a worm and no man; a reproach of men and despised of the people: But I was humbled and confounded, "and again: "It is good for me that Thou hast humbled me, that I might learn Thy statutes."

This is the eighth grade of humility; if a monk do nothing except what the common rule of the monastery or the examples of his superior urges him to do.

The ninth grade of humility is this: if a monk keep his tongue from speaking and keeping silence speaks only in answer to questions, since the Scripture says that "sin is not escaped my much speaking, and "a talkative man is not established in the earth."

The tenth grade of humility is this, that he be not easily moved nor prompt to laughter, since it is written: "The fool raiseth his voice in laughter."

The eleventh grade of humility is this: if, when the monk speaks, he says few words and those to the point, slowly and without laughter, humbly and gravely; and be not loud of voice, as it is written: "A wise man is known by his few words."

The twelfth grade of humility is this: that a monk conduct himself with humility not only in his heart but also in his bearing, in the sight of all; that is, in the service of God, in the oratory, in the monastery, in the garden, on the road, in the field; and everywhere, sitting or walking or standing, let him always have his head bowed, and his eyes fixed on the ground. Always mindful of his sins, let him think of himself as being already tried in the great judgment, saying in his heart what that publican, spoken of in the gospel, said with his eyes fixed on the earth: "Lord, I a sinner am not worthy to lift mine eyes to the heavens;" and again with the prophet: "I am bowed down and humbled wheresoever I go."

Therefore when the monk has climbed up by all these steps of humility he will arrive at that love of God, which, when made perfect, casts out all fear, by means of which he will observe without labor and as if by force of habit those things which formerly he could not keep without fear; not now in the fear of hell, but in the love of Christ and in that good habit and delight in well-doing. These things the

Lord will deign to show to His servant who is cleansed from his sins and vices by the Holy Spirit.

8. *Concerning the divine services of the night.*

In the winter time, that is, from the Kalends of November to Easter-tide, they should in reason arise at the eighth hour of the night, so that they may rest a little more than half the night and arise after having digested. The time that is left after vigils, should be spent in meditation by those brothers who are behindhand in the psaltery or readings.

But from Easter to the aforesaid Kalends of November, the hour of vigils should be so arranged, that with a short interval in which the brothers may go out to attend to the necessities of nature, the matins which are to begin with the dawn may follow immediately.

9. *How many psalms are to be said in the hours of the night.*

In the winter time first shall be said the verse "Make haste, oh God, to deliver me; make haste to help me, oh God"; secondly this shall be said three times: "Oh Lord, open Thou my lips, and my mouth shall show forth Thy praise;" to which should be added the third psalm and the Gloria; after this the 94th Psalm, "Oh, come let us sing unto the Lord," should be recited antiphonally or in unison; then should follow the Ambrosian chant, and then six psalms antiphonally. When these are all said, the abbot shall give the benediction, with the verse mentioned; and, all seating themselves on the benches, three lessons are to be read by the brothers in turn, between which three responses should be sung. Two responses should be said without the Gloria, but after the third lesson, he who chants should say the Gloria, and as soon as the Cantor begins, let all arise from the benches in the honor and reverence of the Holy Trinity. And books of the Old and New Testament shall be read also at vigils, and those expositions of them which have been made by the orthodox Catholic fathers authorized by the learned. And after these three lessons with their responses should follow six psalms to be sung with the Alleluia; after this a lesson from the Apostle to be recited from memory, and verses at the supplication of the Litany, that is, the "Kyrie Eleison," and thus the nocturnal vigls shall be ended.

10. *How the praises of the night shall be arranged in summer.*

From Easter to the Kalends of November the whole amount of psalmody as described above shall be observed, except that lessons shall not be read at all because of the shortness of the nights; but in place of the three lessons, one lesson from the Old Testament shall be said

from memory, followed by a brief response; and let everything else be done as has been said: that is, that never less than twelve psalms shall be said in the night vigils, except the third and 94th psalm.

11. *How vigils shall be conducted on Sundays.*

On Sundays they shall rise earlier for vigils. In which vigils let the following measure be observed; that is, after six psalms and a verse having been sung—as we arranged above,—all sitting down in their places and in order upon the benches, there shall be read from Scripture, as we said above, four lessons with their responses. Only in the fourth response, however, shall the Gloria be said by the Cantor. When he begins this, straightway all shall rise with reverence. After which lessons shall follow other six psalms in order, antiphonally, like the former ones; and verses. After which, there shall again be read other four lessons with their responses, in the same order as above. After which there shall be said three canticles, which the abbot shall have chosen from the prophets: which canticles shall be sung with the Alleluia. Then after the verse has been said and the abbot has given his benediction, there shall be read other four lessons from the New Testament, in the same order as above. After the fourth response, moreover, the abbot shall begin the hymn: "We praise Thee O Lord." This being finished the abbot shall read a lesson from the Gospel with honour and trembling, all standing. This being read through, all shall answer "Amen." And the abbot shall straightway cause the hymn: "It is a good thing to praise the Lord" to follow; and, the benediction being given, they shall begin matins. This order of vigils at all times of summer as well as winter shall be similarly observed on Sunday: unless by chance (may it not happen) they rise too late, and something from the lessons or responses must be shortened: as to which they must take the greatest care lest it occur. But if it happen, he through whose neglect it came about shall give proper satisfaction for it to God in the oratory. . . . .

12. *How the service of matins is to be conducted.*

On Sundays at matins first shall be said the 66th Psalm in unison without antiphony; after which the 50th with the Alleluia; then the 117th and 62d Psalms, then the Benedictions and Laudes, one lesson from the Apocalypse from memory, and the response, the Ambrosian chant, the verse, the song from the gospel, the litany, and thus it is completed.

13. *How matins are to be celebrated on week days.*

On week days the service of matins is to be conducted as follows:

the 66th Psalm shall be said without antiphony, drawing it out somewhat as on Sunday, so that all may join in the 50th Psalm, which shall be said with the antiphony. After this two other psalms are to be said according to the rule, that is, on Monday the 5th and the 35th; on Tuesday, the 42d and 56th; on Wednesday, the 63d and 64th; on Thursday, the 87th and 89th; on Friday, the 75th and 91st; on Saturday, the 142d and the song of Deuteronomy [Deut. XXXII. f.] which is divided into two Glorias. On other days let songs be sung from the prophets, each song on its own day as the Roman church sings them. After this follow the Randes, then one lesson from the Apostle, to be recited from memory, then the response, then the Ambrosian chant, the verse, the song from the gospel, the litany, and so it is completed.

The service of matins and vespers should not pass without the Lord's prayer being said at the end in the hearing of all, because of the vexations of quarrels, which are wont to arise, so that pledging themselves by the promise of that prayer, where they say, "Forgive us, as we also forgive," they may cleanse themselves from this kind of vice. And the rest having been observed, the last part of that prayer should be said, so that all may respond together: "But deliver us from evil."

14. *How vigils should be celebrated on the birthdays of saints.*

On the feast-days of saints and all holy days, the service should be kept as we have described it for Sunday; except that the psalms and antiphonies and lessons belonging to that day should be said; but the aforesaid limit should be kept.

15. *On what occasion the Alleluia should be used.*

From the holy Easter to Pentecost the Alleluia should always be said both in the psalms and the responses. From Pentecost to the beginning of Lent, it should be said every night with the six later psalms only at the nocturnes; but on every Sunday outside of Lent, the songs of the matins, and of the first, third, sixth, and ninth lessons, should be said with the Alleluia; the responses, however, should never be given with the Alleluia except from Easter to Pentecost.

16. *How divine service is to be held through the day.*

As the prophet says, "Seven times in the day do I praise Thee." This sacred number seven will thus be observed by us, if we perform the duties of our service at matins, at the first, third, sixth, and ninth hours, at vespers and at completorium [the last seance of the day], since it is of these hours that he said: "Seven times in the day do I

praise Thee; and of the night vigils the same prophet says: "At midnight I arose to confess unto Thee." Therefore at those times, we should give praise to our Creator for the judgments of His righteousness; namely, at matins, at the first, third, sixth, and ninth hours, at vespers, and at completorium; and let us arise at night to confess unto Him.

17. *How many psalms hould be sung in these hours.*

Having already described the orders of psalmody for the night vigils and matins, let us now take up the hours that follow. At the first hour three psalms should be said singly and not under one Gloria; the hymn of that hour after the verse: "Make haste oh God to deliver me," should be sung before the psalms begin. At the end of the three psalms, one lesson from the Apostle should be recited, together with the verse, and the "Kyrie Eleison" and the mass. At the third, sixth, and ninth hours the seance should follow the same order; the prayer (that is, the verse), the hymns of those hours, the three psalms, the lesson and the verse, the "Kyrie Eleison," and the mass. If there is a large congregation, let them be sung with antiphony, if small, in unison. Let the vesper gathering be ended with four psalms with antiphony, after which the lesson should be recited, then the response, the hymn, the Ambrosian chant, the verse, the song of the Gospel, the litany, and the Lord's prayer, and let mass be celebrated. Completorium should be ended with three psalms, which are to be said in unison without antiphony; after which are to come the hymn of that hour, one lesson, the verse, the "Kyrie Eleison," the benediction and the mass.

18. *In what order the psalms are to be said.*

In the hours of the day let this verse always be said first of all: "Oh God, make haste to deliver me; make haste, oh God, to help me," the Gloria, then at the first hour on Sunday four chapters of the 118th Psalm are to be said; at the other hours, that is, the third, sixth and ninth, three chapters of the aforesaid 118th Psalm are to be said at each. At the first hour on Monday three psalms are to be said, the first, second and sixth; so every day up to Sunday the first hour three psalms shall be said as they come, up to the 19th Psalm, but the 9th and the 17th may be divided into two each. And so it will come about that vigils on Sunday will always begin with the 20th Psalm.

At the third, sixth and ninth hours the nine chapters which remain of the 118th Psalm are to be said by three at these hours. And the 118th Psalm having been thus used up on two days, Sunday and Mon-

day, on Tuesday nine psalms shall be sung at the third, sixth and ninth hours, from the 119th to the 127th; these psalms shall be recited at these hours up to Sunday, keeping however the regular disposition of the hymns, lessons, and verses for all days; and so on Sunday they are to begin again with the 118th Psalm.

Vespers shall be chanted daily with four psalms. These begin with the 109th, and all the rest up to the 147th except such as are taken out for other seances (namely, from the 117th to the 127th and the 113d and 142d) are to be said at vespers. And since three psalms are lacking, the longer ones of the aforesaid numbers are to be divided, that is, the 138th, 143d and 144th; and the 116th Psalm, because it is short is to be joined to the 115th. The order of the vesper psalms being thus arranged, the rest of the seances, that is, the lesson, the response, the hymn, the verse, and the song, are to be done as we have said above.

At completorium the same psalms are to be recited every day; that is, the fourth, 90th and 133d Psalms.

[The above translation was made by E. H. McNeal.]

19. *Concerning the art of singing.*

Whereas we believe that there is a divine presence, and that the eyes of the Lord look down everywhere upon the good and the evil: chiefly then, without any doubt, we may believe that this is the case when we are assisting at divine service. Therefore let us always be mindful of what the prophets says: "Serve the Lord in all fear"; and before the face of the Divinity and His angels; and let us so stand and again, "Sing wisely"; and "in the sight of the angels I will sing unto thee." Therefore let us consider how we ought to conduct ourselves sing that our voice may accord with our intention.

20. *Concerning reverence for prayer.*

If when to powerful men we wish to suggest anything, we do not presume to do it unless with reverence and humility: how much more should we supplicate with all humility, and devotion of purity, God who is the Lord of all. And let us know that we are heard, not for much speaking, but for purity of heart and compunction of tears. And, therefore, prayer ought to be brief and pure; unless perchance it be prolonged by the influence of the inspiration of the divine grace. When assembled together, then, let the prayer be altogether brief; and, the sign being given by the prior, let us rise together.

21. *Concerning the deans of the monastery.*

If the congregation be a larger one, let there be elected from it brothers of good standing and of holy character; and let them be made deans. And they shall be watchful over their decanates in all things, according to the mandates of God and the precepts of their abbot. And the deans elected shall be such that the abbot may safely share his burdens with them. And they shall not be elected according to order, but according to their merit of life and their advancement in wisdom. And, if any one of these deans be found perchance to be blameworthy being puffed up by pride of something; and if, being warned once and again and a third time, he be unwilling to better himself,—let him be deposed; and let another, who is worthy, be chosen in his place. And we decree the like concerning the provost.

22. *How the monks shall sleep.*

They shall sleep separately in separate beds. They shall receive position for their beds, after the manner of their characters, according to the dispensation of their abbot. If it can be done, they shall all sleep in one place. If, however, their number do not permit it, they shall rest by tens or twenties, with elders who will concern themselves about them. A candle shall always be burning in that same cell until early in the morning. They shall sleep clothed, and girt with belts or with ropes; and they shall not have their knives at their sides while they sleep, lest perchance in a dream they should wound the sleepers. And let the monks be always on the alert; and, when the signal is given, rising without delay, let them hasten to mutually prepare themselves for the service of God—with all gravity and modesty, however. The younger brothers shall not have beds by themselves, but interspersed among those of the elder ones. And when they rise for the service of God, they shall exhort each other mutually with moderation, on account of the excuses that those who are sleepy are inclined to make.

23. *Concerning excommunication for faults.*

If any one is found to be a scorner—being contumacious or disobedient or a murmurer, or one acting in any way contrary to the holy Rule, and to the precepts of his elders: let such a one, according to the teaching of our Lord, be admonished once, and a second time, secretly, by his elders. If he do not amend his ways, he shall be rebuked publicly in the presence of all. But if, even then, he do not better himself—if he understands how great the penalty is—he shall be subject to excommunication. But, if he is a wicked man, he shall be given over to corporal punishment.

24. *What ought to be the measure of the excommunication.*

According to the amount of the fault the measure of the excommunication or of the discipline ought to be extended: which amount of the faults shall be determined by the judgment of the abbot. If any brother, however, be taken in lighter faults, he shall be prevented from participating at table. With regard to one deprived of participation at table, moreover, this shall be the regulation: that he shall not start a psalm or a chant in the oratory, or recite a lesson, until he has atoned. The refreshment of food, moreover, he shall take alone, after the refreshment of the brothers. So that if, for example, the brothers eat at the sixth hour, that brother shall do so at the ninth; if the brothers at the ninth, then he at Vespers; until by suitable satisfaction he gains pardon.

25. *Concerning graver faults.*

That brother, moreover, who is held guilty of a graver fault shall be suspended at the same time from table and from the oratory. None of the brothers may in any way consort with him, or have speech with him. He shall be alone at the labour enjoined upon him, persisting in the struggle of penitence; knowing that terrible sentence of the apostle who said that such a man was given over to the destruction of the flesh in order that this soul might be saved at the day of the Lord. The refection of food moreover he shall take alone, in the measure and at the time that the abbot shall appoint as suitable for him. Nor shall he be blessed by any one who passes by, nor shall any food be given him.

26. *Concerning those who, without being ordered by the abbot, associate with the excommunicated.*

If any brother presume, without an order of the abbot, in any way to associate with an excommunicated brother, or to speak with him, or to give an order to him: he shall suffer the same penalty of excommunication.

27. *What care the abbot should exercise with regard to the excommunicated.*

With all solicitude the abbot shall exercise care with regard to delinquent brothers: "They that be whole need not a physician, but they that are sick." And therefore he ought to use every means, as a wise physician, to send in as it were secret consolers—that is, wise elder brothers who, as it were secretly, shall console the wavering brother and lead him to the atonement of humility. And they shall comfort him lest he be swallowed up by overmuch sorrow. On the contrary, as the same apostle says, charity shall be confirmed in him, and

he shall be prayed for by all. For the abbot should greatly exert his solicitude, and take care with all sagacity and industry, lest he lose any of the sheep entrusted to him. For he should know that he has undertaken the care of weak souls, not the tyranny over sound ones. And he shall fear the threat of the prophet through whom the Lord says: "Ye did take that which ye saw to be strong, and that which was weak ye did cast out." And let him imitate the pious example of the good Shepherd, who, leaving the ninety and nine sheep upon the mountains, went out to seek the one sheep that had gone astray: and He had such compassion upon its infirmity, that He deigned to place it upon His sacred shoulders, and thus to carry it back to the flock.

28. *Concerning those who, being often rebuked, do not amend.*

If any brother, having frequently been rebuked for any fault, do not amend even after he has been excommunicated, a more severe rebuke shall fall upon him;—that is, the punishment of the lash shall be inflicted upon him. But if he do not even then amend; or, if perchance —which God forbid,—swelled with pride he try even to defend his works: then the abbot shall act as a wise physician. If he have applied the fomentations, the ointments of exhortation, the medicaments of the Divine Scriptures; if he have proceeded to the last blasting of excommunication, or to blows with rods, and if he sees that his efforts avail nothing: let him also—what is greater—call in the prayer of himself and all the brothers for him: that God who can do all things may work a cure upon an infirm brother. But if he be not healed even in this way, then at last the abbot may use the pruning knife, as the apostle says: "Remove evil from you," etc.: lest one diseased sheep contaminate the whole flock.

29. *Whether brothers who leave the monastery ought again to be received.*

A brother who goes out, or is cast out, of the monastery for his own fault, if he wish to return, shall first promise every amends for the fault on account of which he departed; and thus he shall be received into the lowest degree—so that thereby his humility may be proved. But if he again depart, up to the third time he shall be received. Knowing that after this every opportunity of return is denied to him.

30. *Concerning boys under age, how they shall be corrected.*

Every age or intelligence ought to have its proper bounds. Therefore as often as boys or youths, or those who are less able to understand how great is the punishment of excommunication: as often as such persons offend, they shall either be afflicted with excessive fasts, or

coerced with severe blows, that they may be healed.

31. *Concerning the cellarer of the monastery, what sort of a person he shall be.*

As cellarer of the monastery there shall be elected from the congregation one who is wise, mature in character, sober, not given to much eating, not proud, not turbulent, not an upbraider, not tardy, not prodigal, but fearing God: a father, as it were, to the whole congregation. He shall take care of every thing, he shall do nothing without the order of the abbot. He shall have charge of what things are ordered: he shall not rebuff the brethren. If any brother by chance demand anying unreasonably from him, he shall not, by spurning, rebuff him; but reasonably, with humility, shall deny to him who wrongly seeks.

Let him guard his soul, mindful always of that saying of the apostle, that he who ministers well purchases to himself a good degree. He shall care with all solicitude for the infirm and youthful, for guests and for the poor; knowing without doubt that he shall render account for all of these at the day of judgment. All the utensils of the monastery, and all its substance, he shall look upon as though they were the sacred vessels of the altar. He shall deem nothing worthy of neglect; nor shall he give way to avarice; nor shall he be prodigal or a squanderer of the substance of the monastery; but he shall do everything with moderation and according to the order of the abbot. He shall have humility above all things: and when there is nothing substantial for him to give, let a good word of reply be offered, as it is written: "a good word is above the best gift." Every thing which the abbot orders him to have, let him have under his care; what he prohibits let him refrain from. To the brethren he shall offer the fixed measure of food without any haughtiness or delay, in order that they be not offended; being mindful of the divine saying as to what he merits "who offends one of these little ones." If the congregation is rather large, assistants shall be given him; by whose aid he himself, with a calm mind, shall fill the office committed to him. At suitable hours those things shall be given which are to be given, and those things shall be asked for which are to be asked for: so that no one may be disturbed or rebuked in the house of God.

32. *Concerning the utensils or property of the monastery.*

For the belongings of the monastery in untensils, or garments, or property of any kind, the abbot shall provide brothers of whose life and morals he is sure; and to them as he shall see fit he shall consign the different things to be taken care of and collected. Concerning which

the abbot shall keep a list, so that when in turn the brothers succeed each other in the care of the things assigned, he may know what he gives or what he receives. If moreover any one have soiled or treated negligently the property of the monastery, he shall be rebuked; but if he do not amend, he shall be subjected to the discipline of the Rule.

33. *Whether the monks should have any thing of their own.*

More than any thing else is this special vice to be cut off root and branch from the monastery, that one should presume to give or receive anything without the order of the abbot, or should have anything of his own. He should save absolutely not anything; neither a book, nor tablets, nor a pen—nothing at all.—For indeed it is not allowed to the monks to have their own bodies or wills in their own power. But all things necessary they must expect from the Father of the monastery; nor is it allowable to have anything which the abbot did not give or permit. All things shall be common to all, is it is written: "Let not any man presume or call anything his own." But if any one shall have been discovered delighting in this most evil vice: being warned once and again, if he do not amend, let him be subjected to punishment.

34. *Whether all ought to receive necessaries equally.*

The brothers shall so serve each other in turn that no one shall be excused from the duty of cooking, unless either through sickness, or because he is occupied in some important work of utility. For, by this means, charity and a greater reward are acquired. Moreover, assistants shall be provided for the weak, so that they may not do this as a burden, but may all have helpers according to the size of the congregation or the nature of the place. If the congregation is a large one the cellarer, or any who, as we have said, are occupied with matters of greater utility, shall be excused from cooking. The rest shall serve each other in turn with all charity. At the end of the week he (the weekly cook) shall, on Saturday, do the cleansing. He shall wash the towels with which the brothers wipe their hands or feet. Moreover, as well he who enters into as well as he who goes out (of office) shall wash the feet of every body. He shall give back the vessels of his ministry clean and hole to the cellarer. And he, the cellarer, shall consign them thus to the one entering (into office), so that he shall know what he gives or what he receives. The weekly cooks, moreover, one hour before refection, shall receive the measure of food previously fixed upon: the different drinking vessels, namely, and the bread; so that at the hour of refection, without murmuring and without heavy labour, they may serve their brothers. On solemn days, moreover, they

shall fast until mass. The incoming and the outgoing weekly officers, moreover, shall, in the oratory, as soon as the matins are finished on Sunday, prostrate themselves at the feet of all, begging to be prayed for. Furthermore he who has finished his week shall say this verse: "Blessed art Thou oh Lord God, who hast aided and consoled me." This being said for the third time, he who retires shall receive the benediction. He who is entering shall follow and shall say: "O God come to my aid, O Lord hasten to help me." And this shall be repeated three times by all. And, receiving the benediction, he shall enter (upon his office).

36. *Concerning infirm brothers.*

Before all, and above all, attention shall be paid to the care of the sick; so that they shall be served as if it were actually Christ. For He Himself said: "I was sick and ye visited Me." And: "Inasmuch as ye have done it unto one of the least of these ye have done it unto Me." But let the sick also consider that they are being served to the honour of God; and let them not offend by their abundance the brothers who serve them: which (offences) nevertheless are patiently to be borne, for, from such, a greater reward is acquired. Wherefore let the abbot take the greatest care lest they suffer neglect. And for these infirm brothers a cell by itself shall be set apart, and a servitor, God-fearing, and diligent and careful. The use of baths shall be offered to the sick as often as it is necessary: to the healthy, and especially to youths, it shall not be so readily conceded. But also the eating of flesh shall be allowed to the sick, and altogether to the feeble, for their rehabilitation. But when they have grown better, they shall all, in the usual manner, abstain from flesh. The abbot, moreover, shall take the greatest care lest the sick are neglected by the cellarer or by the servitors: for whatever fault is committed by the disciples rebounds upon him.

37. *Concerning the aged and infants.*

Although human nature itself is prone to have pity for these ages—that is, old age and infancy,—nevertheless the authority of the Rule also has regard for them. Their weakness shall always be considered, and in the matter of food, the strict tenor of the Rule shall by no means be observed, as far as they are concerned; but they shall be treated with pious consideration, and may anticipate the canonical hours.

38. *Concerning the weekly reader.*

At the tables of the brothers when they eat the reading should not fail; nor may any one at random dare to take up the book and begin to read there; but he who is about to read for the whole week shall

begin his duties on Sunday. And, entering upon his office after mass and communion, he shall ask all to pray for him, that God may avert from him the spirit of elation. And this verse shall be said in the oratory three times by all, he however beginning it: "O Lord open Thou my lips and my mouth shall show forth Thy praise." And thus, having received the benediction, he shall enter upon his duties as reader. And there shall be the greatest silence at table, so that the muttering or the voice of no one shall be heard there, except that of the reader alone. But whatever things are necessary to those eating and drinking, the brothers shall so furnish them to each other in turn, that no one shall need to ask for anything. But if, nevertheless, something is wanted, it shall rather be sought by the employment of some sign than by the voice. Nor shall any one presume there to ask questions concerning the reader or anything else; nor shall an opportunity be given: unless perhaps the prior wishes to say something, briefly, for the purpose of edifying. Moreover, the brother who reads for the week shall receive bread and wine before he begins to read, on account of the holy communion, and lest, perchance, it might be injurious for him to sustain a fast. Afterwards, moreover, he shall eat with the weekly cooks and the servitors. The brothers, moreover, shall read or sing not in rotation; but the ones shall do so who will edify their hearers.

39. *Concerning the amount of food.*

We believe, moreover, that, for the daily refection of the sixth as well as of the ninth hour, two cooked dishes, on account of the infirmities of the different ones, are enough for all tables: so that whoever, perchance, can not eat of one may partake of the other. Therefore let two cooked dishes suffice for all the brothers: and, if it is possible to obtain apples or growing vegetables, a third may be added. One full pound of bread shall suffice for a day, whether there be one refection, or a breakfast and a supper. But if they are going to have supper, the third part of that same pound shall be reserved by the cellarer, to be given back to those who are about to sup. But if, perchance, some greater labour shall have been performed, it shall be in the will and the power of the abbot, if it is expedient, to increase anything; surfeiting above all things being guarded against, so that indigestion may never seize a monk: for nothing is so contrary to every Christian as surfeiting, as our Lord says: "Take heed to yourselves, lest your hearts be overcharged with surfeiting." But to younger boys the same quantity shall not be served, but less than that to the older ones; moderation being observed in all things. But the eating of the flesh of quadrupeds

shall be abstained from altogether by every one, excepting alone the weak and the sick.

40. *Concerning the amount of drink.*

Each one has his own gift from God, the one in this way, the other in that. Therefore it is with some hesitation that the amount of daily sustenance for others is fixed by us. Nevertheless, in view of the weakness of the infirm we believe that a hemina of wine a day is enough for each one. Those moreover to whom God gives the ability of bearing abstinence shall know that they will have their own reward. But the prior shall judge if either the needs of the place, or labour or the heat of summer, requires more; considering in all things lest satiety or drunkenness creep in. Indeed we read that wine is not suitable for monks at all. But because, in our day, it is not possible to persuade the monks of this, let us agree at least as to the fact that we should not drink till we are sated, but sparingly. For wine can make even the wise to go astray. Where, moreover, the necessities of the place are such that the amount written above can not be found,—but much less or nothing at all,—those who live there shall bless God and shall not murmur. And we admonish them as to this above all: that they be without murmuring.

42. *That after "completorium" no one shall speak.*

At all times the monks ought to practise silence, but most of all in the nocturnal hours. And thus at all times, whether of fasting or of eating: if it be meal-time, as soon as they have risen from the table, all shall sit together and one shall read selections or lives of the Fathers, or indeed anything which will edify the hearers. But not the Pentateuch or Kings; for, to weak intellects, it will be of no use at that hour to hear this part of Scripture; but they shall be read at other times. But if the days are fast days, when Vespers have been said, after a short interval they shall come to the reading of the selections as we have said; and four or five pages, or as much as the hour permits having been read, they shall all congregate, upon the cessation of the reading. If, by chance, any one is occupied in a task assigned to him, he shall nevertheless approach. All therefore being gathered together, they shall say the completing prayer; and, going out from the "completorium," there shall be no further opportunity for any one to say anything. But if any one be found acting contrary to this rule of silence, he shall be subjected to a very severe punishment. Unless a necessity in the shape of guests should arise, or the abbot, by chance, should give some order. But even this, indeed, he shall do most

seriously, with all gravity and moderation.

44. *Concerning those who are excommunicated, how they shall render satisfaction.*

He who, for graver faults, is excommunicated from the oratory and from table, shall, at the hour when the Divine Service is being celebrated in the oratory, lie prostrate before the gates of the oratory, saying nothing, his head being placed not otherwise than on the ground, lying headlong before the feet of all who go out from the oratory. And he shall continue doing this until the abbot shall judge that he have rendered satisfaction. And when he shall enter at the order of the abbot, he shall grovel at the feet of the abbot, and then of all, that they may pray for him. And then, if the abbot order it, he shall be received into the choir or into the grade which the abbot decrees: in such wise, nevertheless, that he may not presume to start a psalm, or a lesson, or anything else in the oratory, unless the abbot again order him to. And at all hours when the Divine Service reaches its end, he shall throw himself on the ground in the place where he stands: and shall render satisfaction in this way until the abbot orders him to desist at length from doing so. But those who, for light faults, are excommunicated from table alone, shall render satisfaction in the oratory: they shall do this until the abbot gives the order; until he blesses them and says, "it is enough."

48. *Concerning the daily manual labor.*

Idleness is the enemy of the soul. And therefore, at fixed times, the brothers ought to be occupied in manual labour; and again, at fixed times, in sacred reading. Therefore we believe that, according to this disposition, both seasons ought to be arranged; so that, from Easter until the Kalends of October, going out early, from the first until the fourth hour they shall do what labour may be necessary. Moreover, from the fourth hour until about the sixth, they shall be free for reading. After the meal of the sixth hour, moreover, rising from table, they shall rest in their beds with all silence; or, perchance, he that wishes to read may so read to himself that he do not disturb another. And the nona (the second meal) shall be gone through with more moderately about the middle of the eighth hour; and again they shall work at what is to be done until Vespers. But, if the exigency or poverty of the place demands that they be occupied by themselves in picking fruits, they shall not be dismayed: for then they are truly monks if they live by the labours of their hands; as did also our fathers and the apostles. Let all things be done with moderation, however,

on account of the faint-hearted. From the Kalends of October, moreover, until the beginning of Lent they shall be free for reading until the second full hour. At the second hour the tertia (morning service) shall be held, and all shall labour at the task which is enjoined upon them until the ninth. The first signal, moreover, of the ninth hour having been given, they shall each one leave off his work; and be ready when the second signal strikes. Moreover, after the refection they shall be free for their readings or for psalms. But in the days of Lent, from dawn until the third full hour, they shall be free for their readings; and, until the tenth full hour, they shall do the labour that is enjoined on them. In which days of Lent they shall all receive separate books from the library; which they shall read entirely through in order. These books are to be given out on the first day of Lent. Above all there shall certainly be appointed one or two elders, who shall go round the monastery at the hours in which the brothers are engaged in reading, and see to it that no troublesome brother chance to be found who is open to idleness and trifling, and is not intent on his reading; being not only of no use to himself, but also stirring up others. If such a one—may it not happen—be found, he shall be admonished once and a second time. If he do not amend, he shall be subject under the Rule to such punishment that the others may have fear. Nor shall brother join brother at unsuitable hours. Moreover, on Sunday all shall engage in reading: excepting those who are deputed to various duties. But if anyone be so negligent and lazy that he will not or can not read, some task shall be imposed upon him which he can do; so that he be not idle. On feeble or delicate brothers such a labour or art is to be imposed, that they shall neither be idle, nor shall they be so oppressed by the violence of labour as to be driven to take flight. Their weakness is to be taken into consideration by the abbot.

49. *Concerning the observance of Lent.*

Although at all times the life of the monk should be such as though Lent were being observed: nevertheless, since few have that virtue, we urge that, on those said days of Lent, he shall keep his life in all purity; and likewise wipe out, in those holy days, the negligencies of other times. This is when worthily done if we refrain from all vices, if we devote ourselves to prayer with weeping, to reading and compunction of heart, and to abstinence. Therefore, on these days, let us add of ourselves something to the ordinary amount of our service: special prayers, abstinence from food and drink;—so that each one, over and above the amount allotted to him, shall offer of his own will some-

thing to God with rejoicing of the Holy Spirit. That is, he shall restrict his body in food, drink, sleep, talkativeness, and merry-making; and, with the joy of a spiritual desire, shall await the holy Easter. The offering, moreover, that each one makes, he shall announce to his abbot; that it may be done with his prayers and by his will. For what is done without the permission of the spiritual Father, shall be put down to presumption and vain glory, and not to a monk's credit. Therefore, all things are to be done according to the will of the abbot.

53. *Concerning the reception of guests.*

All guests who come shall be received as though they were Christ; for He Himself said: "I was a stranger and ye took Me in." And to all, fitting honour shall be shown; but, most of all, to servants of the faith and to pilgrims. When, therefore, a guest is announced, the prior or the brothers shall run to meet him, with every office of love. And first they shall pray together; and thus they shall be joined together in peace. Which kiss of peace shall not first be offered, unless a prayer have preceded; on account of the wiles of the devil. In the salutation itself, moreover, all humility shall be exhibited. In the case of all guests humility shall be exhibited. In the case of all guests arriving or departing: with inclined head, or with prostrating of the whole body upon the ground, Christ, who is also received in them, shall be adored. The guests moreover, having been received, shall be conducted to prayer; and afterwards the prior, or one whom he himself orders, shall sit with them. The law of God shall be read before the guest that he may be edified; and, after this, every kindness shall be exhibited. A fast may be broken by the prior on account of a guest; unless, perchance, it be a special day of fast which can not be violated. The brothers, moreover, shall continue their customary fasts. The abbot shall give water into the hands of his guests; and the abbot as well as the whole congregation shall wash the feet of all guests. This being done, they shall say this verse: "We have received, oh Lord, Thy loving-kindness in the midst of Thy temple." Chiefly in the reception of the poor and of pilgrims shall care be most anxiously exhibited: for in them Christ is received the more. For the very fear of the rich exacts honour for them. The kitchen of the abbot and the guests shall be by itself; so that guests coming at uncertain hours, as is always happening in a monastery, may not disturb the brothers. Into the control of which kitchen, two brothers, who can well fulfill that duty, shall enter yearly; and to them, according as they shall need it, help shall be administered; so that they may serve without murmuring.

And again, when they are less occupied, they shall go out where they are commanded to, and labour. And not only in their case, but in all the offices of the monastery, such consideration shall be had, that, when they need it, help shall be given to them. And, when they are again at leisure, they shall obey orders. Likewise a brother, whose soul the fear of God possesses, shall have assigned to him the cell of the guests, where there shall be administered wisely by the wise. Moreover, he who has not been ordered to shall by no means join the guests or speak to them. But if he meet them or see them, saluting them humbly, as has been said, and seeking their blessing, he shall pass by, saying that he is not allowed to speak with a guest.

54. *Whether a monk should be allowed to receive letters or anything.*

By no means shall it be allowed to a monk—either from his relatives, or from any man, or from one of his fellows—to receive or to give, without order of the abbot, letters, presents or any gift, however small. But even if, by his relatives, anything has been sent to him: he shall not presume to receive it, unless it have first been shown to the abbot. But if he order it to be received, it shall be in the power of the abbot to give it to whomever he may will. And the brother to whom it happened to have been sent shall not be chagrined; that an opportunity be not given to the devil. Whoever, moreover, presumes otherwise, shall be subject to the discipline of the Rule.

55. *Concerning clothes.*

Vestments shall be given to the brothers according to the quality of the places where they dwell, or the temperature of the air. This, therefore, is a matter for the abbot to decide. We nevertheless consider that for ordinary places there suffices for the monks a cowl and gown apiece—the cowl, in winter hairy, in summer plain or old,—and a working garment, on account of their labours. As clothing for the feet, shoes and boots. Concerning the colour and size of all of which things the monks shall not talk; but they shall be such as can be found in the province where they are or as can be bought the most cheaply. The abbot, moreover, shall provide, as to the measure, that those vestments be not short for those using them; but of suitable length. And, when new ones are received, they shall straightway return the old ones, to be kept in the vestiary on account of the poor. It is enough, moreover, for a monk to have two gowns and two cowls; on account of the nights, and on account of washing the things themselves. Every thing, then, that is over this is superfluous, and ought to be removed. And the

shoes, and whatever is old, they shall return when they receive something new. And those who are sent on a journey shall receive clothes for the loins from the vestiary; which on their return they shall restore having washed them. And there shall be cowls and gowns somewhat better than those which they have ordinarily: which, when they start on a journey, they shall receive from the vestiary, and, on returning, shall restore. As trappings for the beds, moreover, shall suffice a mat, a woollen covering, a woollen cloth under the pillow, and the pillow. And these beds are frequently to be searched by the abbot on account of private property; lest he find some. And, if any thing is found belonging to any one which he did not receive from the abbot, he shall be subjected to the most severe discipline. And, in order that this special vice may be cut off at the roots, there shall be given by the abbot all things which are necessary: that is, a cowl, a gown, shoes, boots, a binder for the loins, a knife, a pen, a needle, a handkerchief, tablets: so that all excuse of necessity shall be removed. By this same abbot, however, that sentence of the Acts of the Apostles shall always be regarded: "For there was given unto each man according unto his need." Thus, therefore, the abbot also shall consider the infirmities of the needy, not the evil will of the envious. In all his judgments, nevertheless, he shall remember the retribution of God.

56. *Concerning the table of the abbot.*

The table of the abbot shall always be with the guests and pilgrims. As often, however, as guests are lacking, it shall be in his power to summon those of the brothers whom he wishes. He shall see, nevertheless, that one or two elders are always left with the brothers, for the sake of discipline.

57. *Concerning the artificers of the monastery.*

Artificers, if there are any in the monastery, shall practise with all humility their special arts, if the abbot permit it. But if any one of them becomes inflated with pride on account of knowledge of his art, to the extent that he seems to be conferring something on the monastery: such a one shall be plucked away from that art; and he shall not again return to it unless the abbot perchance again orders him to, he being humiliated. But, if anything from the works of the artificers is to be sold, they themselves shall take care through whose hands they (the works) are to pass, lest they (the intermediaries) presume to commit some fraud upon the monastery. They shall always remember Ananias and Sapphira; lest, perchance, the death that they suffered with regard to the body, these, or all those who have committed any

fraud as to the property of the monastery, may suffer with regard to the soul. In the prices themselves, moreover, let not the evil of avarice crop out: but let the object always be given a little cheaper than it is given by other and secular persons; so that, in all things, God shall be glorified.

58. *Concerning the manner of receiving brothers.*

When any new comer applies for conversion, an easy entrance shall not be granted him: but, as the apostle says, "Try the spirits if they be of God." Therefore, if he who comes perseveres in knocking, and is seen after four or five days to patiently endure the insults inflicted upon him, and the difficulty of ingress, and to persist in his demand: entrance shall be allowed him, and he shall remain for a few days in the cell of the guests. After this, moreover, he shall be in the cell of the novices, where he shall meditate and eat and sleep. And an elder shall be detailed off for him who shall be capable of saving souls, who shall altogether intently watch over him, and make it a care to see if he reverently seek God, if he be zealous in the service of God, in obedience, in suffering shame. And all the harshness and roughness of the means through which God is approached shall be told him in advance. If he promise perseverance in his steadfastness, after the lapse of two months this Rule shall be read to him in order, and it shall be said to him: Behold the law under which thou dost wish to serve; if thou canst observe it, enter; but if thou canst not, depart freely. If he have stood firm thus far, then he shall be led into the aforesaid cell of the novices; and again he shall be proven with all patience. And, after the lapse of six months, the Rule shall be read to him; that he may know upon what he is entering. And, if he stand firm thus far, after four months the same Rule shall again be re-read to him. And if, having deliberated with himself, he shall promise to keep everything, and to obey all the commands that are laid upon him: then he shall be received in the congregation; knowing that it is decreed, by the law of the Rule, that from that day he shall not be allowed to depart from the monastery, nor to shake free his neck from the yoke of the Rule, which, after such tardy deliberation, he was at liberty either to refuse or receive. He who is to be received, moreover, shall, in the oratory, in the presence of all, make promise concerning his steadfastness and the change in his manner of life and his obedience to God and to His saints; so that if, at any time, he act contrary, he mocks. Concerning which promise he shall make a petition in the name of the saints whose relics are there, and of the abbot who is present. Which petition he

shall make his sign; and with his own hand shall place it (the petition) ters, another, being asked by him, shall write it. And that novice shall make his sign; and with his own hand shall place it (the petition) above the altar. And when he has placed it there, the novice shall straightway commence this verse: "Receive me, oh Lord, according to thy promise and I shall live, and do not cast me down from my hope." Which verse the whole congregation shall repeat three times, adding: "Glory be to the Father." Then that brother novice shall prostrate himself at the feet of each one, that they may pray for him. And, already, from that day, he shall be considered as in the congregation. If he have any property, he shall either first present it to the poor, or, making a solemn donation, shall confer it on the monastery, keeping nothing at all for himself: as one, forsooth, who from that day, shall know that he shall not have power even over his own body. Straightway, therefore in the oratory, he shall take off his own garments in which he was clad, and shall put on the garments of the monastery. Moreover those garments which he has taken off shall be placed in the vestiary to be preserved; so that if, at any time, the devil persuading him, he shall consent to go forth from the monastery—may it not happen,— then, taking off the garments of the monastery, he may be cast out. That petition of his, nevertheless, which the abbot took from above the altar, he shall not receive again; but it shall be preserved in the monastery.

59. *Concerning the sons of nobles or of poor men who are presented.*

If by chance any one of the nobles offers his son to God in the monastery: if the boy himself is a minor in age, his parents shall make the petition which we spoke of above. And, with an oblation, they shall enwrap that petition and the hand of the boy in the linen cloth of the altar; and thus they shall offer him. Concerning their property, moreover, either they shall promise in the present petition, under an oath, that they will never, either through some chosen person, or in any way whatever, give him any thing at any time, or furnish him with the means of possessing it. Or, indeed, if he be not willing to do this, and wish to offer something as alms to the monastery for their salvation, they shall make a donation of the things which they wish to give to the monastery; retaining for themselves, if they wish, the usufruct. And let all things be so observed that no suspicion may remain with the boy; by which being deceived he might perish—which God forbid,—as we have learned by experience. The poorer ones shall also

do likewise. Those, however, who have nothing at all shall simply make their petition; and, with an oblation, shall offer their son before witnesses.

60. *Concerning priests who may chance to wish to dwell in the monastery.*

If anyone of the order of priests ask to be received in the monastery, assent, indeed, shall not too quickly be given him. Nevertheless, if he altogether persist in this supplication, he shall know that he must observe all the discipline of the Rule; nor shall anything be relaxed unto him, that it may be as it is written: "Friend, wherefore art thou come?" Nevertheless it shall be allowed to him to stand after the abbot, and to give the benediction, or to hold mass; if, however, the abbot order him to. But, otherwise, he shall by no means presume to do anything, knowing that he is subject to the discipline of the Rule, and that, all the more, he shall give an example of humility to all. And if he chance to be present in the monastery for the sake of an ordination or anything, he shall expect the position that he had when he entered the monastery; not that which has been conceded to him out of reverence for his priesthood. Moreover, if any one of the clergy desire similarly to be associated with the monastery, he shall have a medium position given him. And he, none the less, shall make promise concerning his observance of the Rule, and concerning his own steadfastness.

61. *Concerning pilgrim monks, how they shall be received.*

If any pilgrim monk come from distant parts,—if he wish as a guest to dwell in the monastery, and will be content with the customs which he finds in the place, and do not perchance by his lavishness disturb the monastery, but is simply content with what he finds: he shall be received for as long a time as he desires. If, indeed, he find fault with anything, or expose it, reasonably, and with the humility of charity: the abbot shall discuss it prudently, lest perchance God had sent for this very thing. But if, afterwards, he wish to establish himself lastingly, such a wish shall not be refused: and all the more, since, in the time of his sojourn as guest, his manner of life could have become known. But, if he have been found lavish or vicious in the time of his sojourn as guest,—not only ought he not to be joined to the body of the monastery, but also it shall be said to him, honestly, that he must depart; lest, by sympathy with him, others also become contaminated. But, if he be not such a one as to merit being cast out: not only if he ask it, shall he be received and associated with the con-

gregation, but he shall also be urged to remain; that by his example others may be instructed. For in every place one God is served, and one King is warred for. And if the abbot perceive him to be such a one, he may be allowed to place him in a somewhat higher position. For the abbot can place not only a monk, but also one from the above grades of priests or clergy, in a greater place than that in which he enters; if he perceive their life to be such a one as to demand it. Moreover, the abbot must take care lest, at any time, he receive a monk to dwell (with him) from another known monastery, without the consent of his abbot or letters of commendation. For it is written: "Do not unto another what thou wilt not that one do unto thee."

If any abbt seek to ordain for himself a priest or deacon, he shall elect from among his fold one who is worthy to perform the office of a priest. He who is ordained, moreover, shall beware of elation or pride. Nor shall he presume to do anything at all unless what he is ordered to by the abbot; knowing that he is all the more subject to the Rule. Nor, by reason of the priesthood, shall he forget obedience and discipline; but he shall advance more and more towards God. But he shall always expect to hold that position which he had when he entered the monastery: except when performing the service of the altar, and if, perchance, the election of the congregation and the will of the abbot inclines to promote him on account of his merit of life. He shall, nevertheless, know that he is to observe the rule constituted for him by the deans or provosts: and that, if he presume otherwise, he shall be considered not a priest but a rebel. And if, having often been admonished, he do not amend: even the bishop shall be called in in testimony. But if, even then, he do not amend, his faults being glaring, he shall be thrust forth from the monastery. That is, if his contumaciousness shall have been of such a kind, that he was not willing to be subject to or to obey the Rule.

63. *Concerning rank in the congregation.*

They shall preserve their rank in the monastery according as the time of their conversion and the merit of their life decrees; and as the abbot ordains. And the abbot shall not perturb the flock committed to him; nor, using as it were an arbitrary power, shall he unjustly dispose anything. But he shall always reflect that he is to render account to God for all his judgments and works. Therefore, according to the order which he has decreed, or which the brothers themselves have held: thus they shall go to the absolution, to the communion, to the

singing of the psalm, to their place in the choir. And in all places, altogether, age does not decide the rank or affect it; for Samuel and Daniel, as boys, judged the priests. Therefore excepting those who, as we have said, the abbot has, for a higher reason, preferred, or, for certain causes, degraded: all the rest, as they are converted, so they remain. Thus, for example, he who comes to the monastery at the second hour of the day, may know that he is younger than he who came at the first hour of the day, of whatever age or dignity he be. And, in the case of boys, discipline shall be observed in all things by all. The juniors, therefore, shall honour their seniors; the seniors shall love their juniors. In the very calling of names, it shall be allowed to no one to call another simply by his name: but the seniors shall call their juniors by the name of brothers. The juniors, moreover, shall call their seniors "nonni," which indicates paternal reverence. The abbot, moreover, because he is believed to be Christ's representative, shall be called Master and Abbot; not by his assumption, but through honour and love for Christ. His thoughts moreover shall be such, and he shall show himself such, that he may be worthy of such honour. Moreover, wherever the brothers meet each other, the junior shall seek a blessing from the senior. When the greater one passes, the lesser one shall rise and give him a place to sit down. Nor shall the junior presume to sit unless his senior bid him; so that it shall be done as is written: "Vying with each other in honour." Boys, little ones or youths, shall obtain their places in the oratory or at table with discipline as the end in view. Out of doors, moreover, or wherever they are, they shall be guarded and disciplined; until they come to an intelligent age.

64. *Concerning the ordination of an abbot.*

In ordaining an abbot this consideration shall always be observed: that such a one shall be put into office as the whole congregation, according to the fear of God, with one heart—or even a part, however small, of the congregation with more prudent counsel—shall have chosen. He who is to be ordained, moreover, shall be elected for merit of life and learnedness in wisdom; even though he be the lowest in rank in the congregation. But even if the whole congregation with one consent shall have elected a person consenting to their vices—which God forbid;—and those vices shall in any way come clearly to the knowledge of the bishop to whose diocese that place pertains, or to the neighbouring abbots or Christians: the latter shall not allow the consent of the wicked to prevail, but shall set up a dispenser

worthy of the house of God; knowing that they will receive a good reward for this, if they do it chastely and with zeal for God. Just so they shall know, on the contrary, that they have sinned if they neglect it. The abbot who is ordained, moreover, shall reflect always what a burden he is undertaking, and to whom he is to render account of his stewardship. He shall know that he ought rather to be of help than to command. He ought, therefore, to be learned in the divine law, that he may know how to give forth both the new and the old; chaste, sober, merciful. He shall always exalt mercy over judgment, that he may obtain the same. He shall hate vice, he shall love the brethren. In his blame itself he shall act prudently and do nothing excessive; lest, while he is too desirous of removing the rust, the vessel be broken. And he shall always suspect his own frailty; and shall remember that a bruised reed is not to be crushed. By which we do not say that he shall permit vice to be nourished; but prudently, and with charity, he shall remove it, according as he finds it to be expedient in the case of each one, as we have already said. And he shall strive rather to be loved than feared. He shall not be troubled and anxious; he also shall not be too obstinate; he shall not be jealous and too suspicious; for then he will have no rest. In his commands he shall be provident, and shall consider whether they be of God or of the world. He shall use discernment and moderation with regard to the labours which he enjoins, thinking of the discretion of St. James who said: "If I overdrive my flocks they will die all in one day." Accepting therefore this and other testimony of discretion the mother of the virtues, he shall so temper all things that there may be both what the strong desire, and the weak do not flee. And, especially, he shall keep the present Rule in all things; so that, when he hath ministered well, he shall hear from the Lord what that good servant did who obtained meat for his fellow servants in his day: "Verily I say unto you," he said, "that he shall make him ruler over all his goods."

73. *Concerning the fact that not every just observance is decreed in this Rule.*

We have written out this Rule, indeed, that we may show those observing it in the monasteries how to have some honesty of character, or beginning of conversion. But for those who hasten to the perfection of living, there are the teachings of the holy Fathers: the observance of which leads a man to the heights of perfection. For what page, or what discourse, of Divine authority of the Old or the New Testament is not a most perfect rule for human life? Or what book

of the holy Catholic Fathers does not trumpet forth how by the right path we shall come to our Creator? Also the reading aloud of the Fathers, and their decrees, and their lives; also the Rule of our holy Father Basil—what else are they except instruments of virtue for well-living and obedient monks? We, moreover, blush with confusion for the idle, and the evilly living and the negligent. Thou, therefore, whoever doth hasten to the celestial fatherland, perform with Christ's aid this Rule written out as the least of beginnings: and then at length, under God's protection, thou wilt come to the greater things that we have mentioned; to the summits of learning and virtue.

TRANSLATIONS OF MCNEAL AND HENDERSON.

THE NEW PEOPLES

THE FORMATION of the new peoples took place side by side with the growth of the Church, and together these two great movements characterize the early Middle Age. The new races that swept over the Empire, and settled in Gaul, Spain, Italy, Africa, and by the Danube, blending eventually with the former inhabitants, were in every case Teutonic, and as the most fitting introduction to this chapter we give the description of the Germans by Tacitus. We follow this by illustrating their institutions at some length in the Salic law, give Bede's description of the Anglo-Saxon conquest of Britain and of its conversion, show their customs in the laws of the Anglo-Saxons, and trace the gradual coming together of the Frank kings and the Church. This will bring us to the days of feudalism in the history of the nations, and to the Church Empire in the history of Christianity. At this point we must pause to take up the Koran of Mohammed and the ideas of the Arabs.

TACITUS ON THE GERMANS

1. GERMANY is separated from Gaul, Rhaetia, and Pannonia, by the rivers Rhine and Danube; from Sarmatia and Dacia by mountains and mutual dread. The rest is surrounded by an ocean, embracing broad promontories and vast insular tracts, in which our military expe-

ditions have lately discovered various nations and kingdoms. The Rhine issuing from the inaccessible and precipitous summit of the Rhætic Alps, bends gently to the west, and falls into the Northern Mount Abnoba, visits several nations in its course, till at length it bursts out by six channels into the Pontic sea: a seventh is lost in marshes.

2. The people of Germany appear to me indigenous, and free from intermixture with foreigners, either as settlers or casual visatants. For the emigrants of former ages performed their expeditions not by land, but by water, and the immense, and, if I may so call it, hostile ocean; is rarely navigated by ships from our world. And besides the dangers of a boisterous and unknown sea, who would relinquish Asia, Africa, or Italy, for Germany, a land rude in its surface, rigorous in its climate, cheerless to every beholder, and cultivator, except a native? In their ancient songs, which are their only records of annals, they celebrate the god Tuisto, sprung from the earth, and his son Mannus, as the fathers and founders of their race. To Mannus they ascribe three sons, from whose names the people bordering on the ocean are called Ingævones; those inhabiting the central parts, Herminones; the rest, Istævones. Some, however, assuming the license of antiquity, affirm that there were more descendants of this god, from whom more appellations were derived; as those of the Marsi, Gambrivii, Suevi, and Vandali and that these are the genuine and original names. That of Germany, on the other hand, they assert to be a modern addition; for that the people who first crossed the Rhine, and expelled the Gauls, and are now called Tungri, were then named Germans; which appellation of a particular tribe, not of a whole people, gradually prevailed; so that the title of Germans, first assumed by the victors in order to excite terror, was afterward adopted by the nation in general. They have likewise the tradition of a Hercules of their country, whose praises they sing before those of all other heroes as they advance to battle.

3. A peculiar kind of verses is also current among them, by the recital of which, termed "barding," they stimulate their courage; while the sound itself serves as an augury of the event of the impending combat. For, according to the nature of the cry proceeding from the line, terror is inspired or felt: nor does it seem so much an articulate song, as the wild chorus of valor. A harsh, piercing note, and a broken roar, are the favorite tones; which they render more full and sonorous by applying their mouths to their shields. Some conjecture that Ulysses, in the course of his long and fabulous wanderings, was driven into this

ocean, and landed in Germany; and that Asciburgium, a place situated on the Rhine, and at this day inhabited, was founded by him, and named Askiburgium. They pretend that an altar was formerly discovered here, consecrated to Ulysses, with the name of his father Laertes subjoined; and that certain monuments and tombs, inscribed with Greek characters, are still extant upon the confines of Germany and Rhætia. These allegations I shall neither attempt to confirm nor to refute: let every one believe concerning them as he is disposed.

4. I concur in opinion with those who deem the Germans never to have intermarried with other nations; but to be a race, pure, unmixed, and stamped with a distinct character. Hence a family likeness pervades the whole, though their numbers are so great: eyes stern and blue; ruddy hair; large bodies, powerful in sudden exertions, but impatient of toil and labor, least of all capable of sustaining thirst and heat. Cold and hunger they are accustomed by their climate and soil to endure.

5. The land, though varied to a considerable extent in its aspect, is yet universally shagged with forests, or deformed by marshes: moister on the side of Gaul, more bleak on the side of Noricum and Pannonia. It is productive of grain, but unkindly to fruit-trees. It abounds in flocks and herds, but in general of a small breed. Even the beeve kind are destitute of their usual stateliness and dignity of head: they are, however, numerous, and form the most esteemed, and, indeed, the only species of wealth. Silver and gold the gods, I know not whether in their favor or anger, have denied to this country. Not that I would assert that no veins of these metals are generated in Germany; for who has made the search? The possession of them is not coveted by these people as it is by us. Vessels of silver are indeed to be seen among them, which have been presented to their embassadors and chiefs but they are held in no higher estimation than earthenware. The borderers, however, set a value on gold and silver for the purposes of commerce, and have learned to distinguish several kinds of our coin, some of which they prefer to others: the remoter inhabitants continue the more simple and ancient usage of bartering commodities. The money preferred by the Germans is the old and well-known species, such as the *Servati* and *Bigati*. They are also better pleased with silver than gold; not on account of any fondness for that metal, but because the smaller money is more convenient in their common and petty merchandise.

6. Even iron is not plentiful among them, as may be inferred

from the nature of their weapons. Swords or broad lances are seldom used; but they generally carry a spear (called in their language *framea*), which has an iron blade, short and narrow, but so sharp and manageable, that, as occasion requires, they employ it either in close or distant fighting. Their spear and shield are all the armor of the cavalry. The foot have, besides, missle weapons, several to each man, which they hurl to an immense distance. They are either naked, or lightly covered with a small mantle; and have no pride in equipage: their shields only are ornamented with the choicest colors. Few are provided with a coat of mail; and scarcely here and there one with a casque or helmet. Their horses are neither remarkable for beauty nor swiftness, nor are they taught the various evolutions practiced with us. The cavalry either bear down straight forward, or wheel once to the right, in so compact a body that none is left behind the rest. Their principal strength, on the whole, consists in their infantry: hence in an engagement these are intermixed with the cavalry; so well accordant with the nature of equestrian combats is the agility of those foot soldiers, whom they select from the whole body of their youth, and place in the front of the line. Their number, too, is determined; a hundred from each canton; and they are distinguished at home by a name expressive of this circumstance; so that what at first was only an appellation of number, becomes thenceforth a title of honor. Their line of battle is disposed in wedges. To give ground, provided they rally again, is considered rather as a prudent stratagem than cowardice. They carry off their slain even while the battle remains undecided. The greatest disgrace that can befall them is to have abandoned their shields. A person branded with this ignominy is not permitted to join in their religious rites, or enter their assemblies; so that many, after escaping from battle, have put an end to their infamy by the halter.

7. In the election of kings they have regard to birth; in that of generals, to valor. Their kings have not an absolute or limited power; and their generals command less through the force of authority than of example. If they are daring, adventurous, and conspicuous in action, they procure obedience from the admiration they inspire. None, however, but the priests are permitted to judge offenders, to inflict bonds or stripes; so that chastisement appears not as an act of military discipline, but as the instigation of the god whom they suppose present with their warriors. They also carry with them to battle certain images and standards taken from the sacred groves. It is a principal incentive to their courage, that their squadrons and battalions are not formed

by men fortuitously collected, but by the assemblage of families and clans. Their pledges are also near at hand; they have within hearing the yells of their women, and the cries of their children. These, too, are the most revered witnesses of each man's conduct, these his most liberal applauders. To their mothers and their wives they bring their wounds for relief, nor do these dread to count or to search out the gashes. The women also administer food and encouragement to those who are fighting.

8. Tradition relates, that armies beginning to give way have been rallied by the females, through the earnestness of their supplications, the interposition of their bodies, and the pictures they have drawn of impending slavery, a calamity which these people bear with more impatience for their women than themselves; so that those states who have been obliged to give among their hostages the daughters of noble families, are the most effectually bound to fidelity. They even suppose somewhat of sanctity and prescience to be inherent in the female sex; and therefore neither dispise their counsels, nor disregard their responses. We have beheld, in the reign of Vespasian, Veleda, long reverenced by many as a deity. Aurima, moreover, and several others, were formerly held in equal veneration, but not with a servile flattery, nor as though they made them goddesses.

9. Of the gods, Mercury is the principal object of their adoration; whom, on certain days, they think it lawful to propitiate even with human victims. To Hercules and Mars they offer the animals usually allotted for sacrifice. Some of the Suevi also perform sacred rites to Isis. What was the cause and origin of this foreign worship, I have not been able to discover, further than that her being represented with the symbol of a galley seems to indicate an imported religion. They conceive it unworthy the grandeur of celestial beings to confine their deities within walls, or to represent them under a human similitude: woods and groves are their temples; and they affix names of divinity to that secret power, which they behold with the eye of adoration alone.

10. No people are more addicted to divination by omens and lots. The latter is performed in the following simple manner. They cut a twig from a fruit-tree, and divide it into small pieces, which, distinguished by certain marks, are thrown promiscuously upon a white garment. Then, the priest of the canton, if the occasion be public; if private, the master of the family; after an invocation of the gods, with his eyes lifted up to heaven, thrice takes out each piece, and, there is no more consultation on the same affair that day; if propitious, a con-

firmation by omens is still required. In common with other nations, the Germans are acquainted with the practice of auguring from the notes and flight of birds; but it is peculiar to them to derive admonitions and presages from horses also. Certain of these animals, milk-white, and untouched by earthly labor, are pastured at the public expense in the sacred woods and groves. These, yoked to a consecrated chariot, are accompanied by the priest, and king, or chief person of the community, who attentively observe their manner of neighing and snorting; and no kind of augury is more credited, not only among the populace, but among the nobles and priests. For the latter consider themselves as the ministers of the gods, and the horses, as privy to the divine will. Another kind of divination, by which they explore the event of momentous wars, is to oblige a prisoner, taken by any means whatsoever from the nation with whom they are at variance, to fight with a picked man of their own, each with his own country's arms; and, according as the victory falls, they presage success to the one or to the other party.

11. On affairs of smaller moment, the chiefs consult; on those of greater importance, what is referred to the decision of the people is first maturely discussed by the chiefs. They assemble, unless upon some sudden emergency, on stated days, either at the new or full moon, which they account the most auspicious season for beginning any enterprise. Nor do they, in their computation of time, reckon, like us, by the number of days, but of nights. In this way they arrange their business; in this way they fix their appointments; so that, with them, the night seems to lead the day. An inconvenience produced by their liberty is, that they do not all assemble at a stated time, as if it were in obedience to a command; but two or three days are lost in the delays of convening. When they all think fit, they sit down armed. Silence is proclaimed by the priests, who have on this occasion a coercive power. Then the king, or chief, and such others as are conspicuous for age, birth, military renown, or eloquence, are heard; and gain attention rather from their ability to persuade, than their authority to command. If a proposal displease, the assembly reject it by an inarticulate murmur; if it prove agreeable, they clash their javelins; for the most honorable expression of assent among them is the sound of arms.

12. Before this council, it is likewise allowed to exhibit accusations, and to prosecute capital offenses. Punishments are varied according to the nature of the crime. Traitors and deserters are hung upon trees: cowards, dastards, and those guilty of unnatural practices, are

suffocated in mud under a hurdle. This difference of punishment has in view the principle, that villany should be exposed while it is punished, but turpitude concealed. The penalties annexed to slighter offenses are also proportioned to the delinquency. The convicts are fined in horses and cattle: part of the mulct goes to the king or state; part to the injured person, or his relations. In the same assemblies chiefs are also elected, to administer justice through the cantons and districts. A hundred companions, chosen from the people, attend upon each of them, to assist them as well with their advice as their authority.

13. The Germans transact no business, public or private, without being armed: but it is not customary for any person to assume arms till the state has approved his ability to use them. Then, in the midst of the assembly, either one of the chiefs, or the father, or a relation, equips the youth with a shield and javelin. These are to them the manly gown; this is the first honor conferred on youth: before this they are considered as part of a household; afterward, of the state. The dignity of chieftain is bestowed even on mere lads, whose descent is eminently illustrious, or whose fathers have performed signal services to the public; they are associated, however, with those of mature strength, who have already been declared capable of service; nor do they blush to be seen in the rank of companions. For the state of companionship itself has its several degrees, determined by the judgment of him whom they follow; and there is a great emulation among the companions, which shall possess the highest place in the favor of their chief; and among the chiefs, which shall excell in the number and valor of his companions. It is their dignity, their strength, to be always surrounded with a large body of select youth, an ornament in peace, a bulwark in war. And not in his own country alone, but among the neighboring states, the fame and glory of each chief consists in being distinguished for the number and bravery of his companions. Such chiefs are courted by embassies; distinguished by presents; and often by their reputation alone decide a war.

14. In the field of battle, it is disgraceful for the chief to be surpassed in valor; it is disgraceful for the companions not to equal their chief; but it is reproach and infamy during a whole succeeding life to retreat from the field surviving him. To aid, to protect him; to place their own gallant actions to the account of his glory, is the first and the most sacred engagement. The chiefs fight for victory; the companions for their chief. If their native country be long sunk in peace and inaction, many of the young nobles repair to some other

state then engaged in war. For, besides that repose is unwelcome to their race, and toils and perils afford them a better opportunity of distinguishing themselves; they are unable, without war and violence, to maintain a large train of followers. The companion requires from the liberality of his chief, the warlike steed, the bloody and conquering spear; and in place of pay he expects to be supplied with a table, homely indeed, but plentiful. The funds for this munificence must be found in war and rapine; nor are they so easily persuaded to cultivate the earth, as to challange the foe, and expose themselves to wounds; nay, they even think it base and spiritless to earn by sweat what they might purchase by blood.

15. During the intervals of war, they pass their time less in hunting than in a sluggish repose, divided between sleep and the table. All the bravest of the warriors, committing the care of the house, the family affairs, and the lands, to the women, old men, and weaker part of the domestics, stupify themselves in inaction: so wonderful is the contrast presented by nature, that the same persons love indolence, and hate tranquility! It is customary for the several states to present, by voluntary and individual contributions, cattle or grain to their chiefs; which are accepted as honorary gifts, while they serve as necessary supplies. They are peculiarly pleased with presents from neighboring nations, offered not only by individuals, but by the community at large; such as fine horses, heavy armor, rich housings, and gold chains. We have now taught them also to accept of money.

16. It is well known that none of the German nations inhabit cities, or even admit of contiguous settlements. They dwell scattered and separate, as a spring, a meadow, or a grove may chance to invite them. Their villages are laid out, not like ours in rows of adjoining buildings; but every one surrounds his house with a vacant space, either by way of security against fire, or through ignorance of the art of building. For, indeed, they are unacquainted with the use of mortar and tiles; and for every purpose employ rude unshapen timber, fashioned with no regard to pleasing the eye. They bestow more than ordinary pains in coating certain parts of their buildings with a kind of earth, so pure and shining that it gives an appearance of painting. They also dig subterraneous caves, and cover them over with a great quantity of dung. These they use as winter retreats, and granaries; for they preserve a moderate temperature; and upon an invasion, when the open country is plundered, these recesses remain unviolated, either because

the enemy is ignorant of them, or because he will not trouble himself with the search.

17. The clothing common to all is a sagum fastened by a clasp, or, in want of that, a thorn. With no other covering they pass whole days on the hearth, before the fire. The more wealthy are distinguished by a vest, not flowing loose, like those of the Sarmatians and Parthians, but girt close, and exhibiting the shape of every limb. They also wear the skins of beasts, which the people near the borders are less curious in selecting or preparing than the more remote inhabitants, who cannot by commerce procure other clothing. These make choice of particular skins, which they varigate with spots, and strips of the furs of marine animals, the produce of the exterior ocean, and seas to us unknown. The dress of the women does not differ from that of the men; except that they more frequently wear linen, which they stain with purple; and do not lengthen their upper garments into sleeves, but leave exposed the whole arm, and part of the breast.

18. The matrimonial bond is, nevertheless, strict and severe among them; nor is there anything in their manners more commendable than this. Almost singly among the barbarians, they content themselves with one wife; a very few of them excepted, who, not through incontinence, but because their alliance is solicited on account of their rank, practice polygamy. The wife does not bring a dowry to her husband, but receives one from him. The parents and relations assemble, and pass their approbation on the presents—presents not adapted to please a female taste, or decorate the bride; but oxen, a caparisoned steed, a shield, spear, and sword. By virtue of these, the wife is espoused; and she in her turn makes a present of some arms to her husband. This they consider as the firmest bond of union; these, the sacred mysteries, the conjugal deities. That the woman may not think herself excused from exertions of fortitude, or exempt from the casualities of war, she is admonished by the very ceremonial of her marriage, that she comes to her husband as a partner in toils and dangers; to suffer and to dare equally with him, in peace and war: this is indicated by the yoked oxen, the harnessed steed, the offered arms. Thus she is to live; thus to die. She receives what she is to return inviolate and honored to her children; what her daughters-in-law are to receive, and again transmit to her grandchildren.

19. They live, therefore, fenced around with chastity; corrupted by no seductive spectacles, no convivial incitements. Men and women are alike unacquainted with clandestine correspondence. Adultery is

extremely rare among so numerous a people. Its punishment is instant, and at the pleasure of the husband. He cuts off the hair of the offender, strips her, and in presence of her relations expels her from his house, and pursues her with stripes through the whole village. Nor is any indulgence shown to a prostitute. Neither beauty, youth, nor riches can procure her a husband: for none there looks on vice with a smile, or calls mutual seduction the way of the world. Still more exemplary is the practice of those states in which none but virgins marry, and the expectations and wishes of a wife are at once brought to a period. Thus, they take one husband as one body and one life; that no thought, no desire, may extend beyond him; and they may be loved not only as their husband but as their marriage. To limit the increase of children, or put to death any of their later progeny, is accounted infamous: and good habits have there more influence than good laws elsewhere.

20. In every house the children grow up, thinly and meanly clad, to that bulk of body and limb which we behold with wonder. Every mother suckles her own children, and does not deliver them into the hands of servants and nurses. No indulgence distinguishes the young master from the slave. They lie together amidst the same cattle, upon the same ground, till age separates, and valor marks out, the free-born. The youths take late of the pleasures of love, and hence pass the age of puberty unexhausted: nor are the virgins hurried into marriage; the same maturity, the same full growth, is required: the sexes unite equally matched, and robust; and the children inherit the vigor of their parents. Children are regarded with equal affection by their maternal uncles as by their fathers: some even consider this as the more sacred blood of consanguinity, and prefer it in the requisition of hostages, as if it held the mind of a firmer tie, and the family by a more firm obligation. A person's own children, however, are his heirs and successors; and no wills are made. If there be no children, the next in order of inheritance are brothers, paternal and maternal uncles. The more numerous are a man's relations and kinsmen, the more comfortable is his old age; nor is it here any advantage to be childless.

21. It is an indispensable duty to adapt the enmities of a father or relation, as well as their friendships: these, however, are not irreconcilable or perpetual. Even homicide is atoned by a certain fine in cattle and sheep: and the whole family accepts the satisfaction, to the advantage of the public weal, since quarrels are most dangerous in a free state. No people are more addicted to social entertainments, or more liberal in the exercise of hospitality. To refuse any person what-

ever admittance under their roof, is accounted flagitious. Every one according to his ability feasts his guests: when his provisions are exhausted, he who was late the host, is now the guide and companion to another hospitable board. They enter the next house uninvited, and are received with equal cordiality. No one makes a distinction with respect to the rights of hospitality, between a stranger and an acquaintance. The departing guest is presented with whatever he may ask for; and with the same freedom a boon is desired in return. They are pleased with presents; but think no obligation incurred either when they give or receive.

22. [Their manner of living with their guests is easy and affable.] As soon as they arise from sleep, which they generally protract till late in the day, they bathe, usually in warm water, as cold weather chiefly prevails there. After bathing they take their meal, each on a distinct seat, and at a separate table. Then they proceed, armed, to business; and not less frequently to convivial parties, in which it is no disgrace to pass days and nights, without intermission, in drinking. The frequent quarrels that arise among them, when intoxicated, seldom terminate in abusive language, but more frequently in blood. In their feasts, they generally deliberate on the reconcilement of enemies, on family alliances, on the appointment of chiefs, and finally on peace and war; conceiving that at no time the soul is more opened to sincerity, or warmed to heroism. These people, naturally devoid of artifice or disguise, disclose the most secret emotions of their hearts in the freedom of festivity. The minds of all being thus displayed without reserve, the subjects of their deliberations are again canvassed the next day; and each time has its advantages. They consult when unable to dissemble; they determine when not liable to mistake.

23. Their drink is a liquor prepared from barley or wheat brought by fermentation to a certain resemblance of wine. Those who border on the Rhine also purchase wine. Their food is simple; wild fruits, fresh venison, or coagulated milk. They satisfy hunger without seeking the elegancies and delicacies of the table. Their thirst for liquor is not quenched with equal moderation. If their propensity to drunkenness be gratified to the extent of their wishes, intemperance proves as effectual in subduing them as the force of arms.

24. They have only one kind of public spectacle, which is exhibited in every company. Young men, who make it their diversion, dance naked amidst drawn swords and presented spears. Practice has conferred skill at this exercise, and skill has given grace; but they do

not exhibit for hire or gain: the only reward of his pastime, though a hazardous one, is the pleasure of the spectators. What is extraordinary, they play at dice, when sober, as a serious business: and that with such a desperate venture of gain or loss, that, when every thing else is gone, they set their liberties and persons on the last throw. The loser goes into voluntary servitude; and, though the youngest and strongest, patiently suffers himself to be bound and sold. Such is the obstinacy in a bad practice—they themselves call it honor. The slaves thus acquired are exchanged away in commerce, that the winner may get rid of his scandal of victory.

25. The rest of their slaves have not, like ours, particular employments in the family allotted them. Each is the master of a habitation and household of his own. The lord requires from him a certain quantity of grain, cattle, or cloth, as from a tenant; and so far only the subjection of the slave extends. His domestic offices are performed by his own wife and children. It is usual to scourge a slave, or punish him with chains or hard labor. They are sometimes killed by their masters; not through severity of chastisement, but in the heat of passion, like an enemy; with this difference, that it is done with impunity. men are little superior to slaves; seldom filling any important office in the family; never in the state, except in those tribes which are under regal government. There, they rise above the free-born, and even the nobles: in the rest, the subordinate condition of the freedmen is a proof of freedom.

26. Lending money upon interest, and increasing it by usury, is unknown among them; and this ignorance more effectually prevents the practice than a prohibition would do. The lands are occupied by townships, in allotments proportional to the number of cultivators; and are afterward parceled out among the individuals of the district, in shares according to the rank and condition of each person. The wide extent of plain facilitates this partition. The arable lands are annually changed, and a part left fallow; nor do they attempt to make the most of the fertility and plenty of the soil, by their own industry in planting orchards, inclosing meadows, and watering gardens. Corn is the only product required from the earth: hence their year is not divided into so many seasons as ours; for, while they know and distinguish by name Winter, Spring, and Summer, they are unacquainted equally with the application and bounty of Autumn.

27. Their funerals are without parade. The only circumstance to which they attend, is to burn the bodies of eminent persons with

some particular kinds of wood. Neither vestments nor perfumes are heaped upon the pile: the arms of the deceased, and sometimes his horse, are given to the flames. The tomb is a mound of turf. They contemn the elaborate and costly honors of monumental structures, as mere burdens to the dead. They soon dismiss tears and lamentations; slowly, sorrow and regret. They think it the women's part to bewail their friends, the men's to remember them.

28. This is the sum of what I have been able to learn concerning the origin and manners of the Germans in general.

THE SALIC LAW

ABOUT 500 A. D.

(Gengler, "Germanische Rechtsdenkmaeler," p. 267.)

Title I. Concerning Summonses.

1. If any one be summoned before the "Thing" by the king's law; and do not come, he shall be sentenced to 600 denars, which make 15 shillings (solidi).

2. But he who summons another, and does not come himself, shall, if a lawful impediment have not delayed him, be sentenced to 15 shillings, to be paid to him whom he summoned.

3. And he who summons another shall walk with witnesses to the home of that man, and, if he be not at home, shall bid the wife or any one of the family to make known to him that he has been summoned to court.

4. But if he be busy in the king's service he cannot summon him.

5. But if he shall be inside the hundred seeing about his own affairs, he can summon him in the manner explained above.

Title II. Concerning Thefts of Pigs, etc.

1. If any one steal a sucking pig, and it be proved against him, he shall be sentenced to 120 denars, which make three shillings.

2. If any one steal a pig that can live without its mother, and it be proved on him, he shall be sentenced to 40 denars—that is, 1 shilling.

14. If any one steal 25 sheep where there were no more in the

flock, and it be proved on him, he shall be sentenced to 2500 denars—that is, 62 shillings.

Title III. Concerning Thefts of Cattle.

4. If any one steal that bull which rules the herd and never has been yoked, he shall be sentenced to 1800 denars, which make 45 shillings.

5. But if the bull is used for the cows of three villages in common, he who stole him shall be sentenced to three times 45 shillings.

6. If any one steal a bull belonging to the king he shall be sentenced to 3600 denars, which make 90 shillings.

Title IV. Concerning Damage done Among Crops or in any Enclosure.

1. If any one finds cattle, a horse, or flocks of any kind in his crops, he shall not at all mutilate them.

2. If he do this and confess it, he shall restore the worth of the animal in place of it, and shall himself keep the mutilated one.

3. But if he have not confessed it, and it have been proved on him, he shall be sentenced, besides the value of the animal and the fines for delay, to 600 denars, which make 15 shillings.

Title XI. Concerning Thefts or Housebreakings of Freemen.

1. If any freeman steal, outside of the house, something worth 2 denars, he shall be sentenced to 600 denars, which make 15 shillings.

2. But if he steal, outside of the house, something worth 40 denars, and it be proved on him, he shall be sentenced, besides the amount and fines for delay, to 1400 denars, which make 35 shillings.

3. If a freeman break into a house and steal something worth 2 denars, and it be proved on him, he shall be sentenced to 15 shillings.

4. But if he shall have stolen something worth more than 5 denars, and it have been proved on him, he shall be sentenced, besides the worth of the object and the fines for delay, to 1400 denars, which make 35 shillings.

5. But if he have broken, or tampered with, the lock, and thus have entered the house and stolen anything from it, he shall be sentenced, besides the worth of the object and the fines for delay, to 1800 denars, which make 45 shillings.

6. And if he have taken nothing, or have escaped by flight, he shall, for housebreaking alone, be sentenced to 1200 denars, which make 30 shillings.

Title XII. Concerning Thefts or Housebreakings on the Part of Slaves.

1. If a slave steal, outside of the house, something worth 2 denars, he shall, besides paying the worth of the object and the fines for delay, be stretched out and receive 120 blows.

2. But if he steal something worth 40 denars, he shall either be castrated or pay 6 shillings. But the lord of the slave who committed the theft shall restore to the plaintiff the worth of the object and the fines for delay.

Title XIII. Concerning Rape committed by Freemen.

1. If three men carry off a free-born girl, they shall be compelled to pay 30 shillings.

2. If there are more than three, each one shall pay 5 shillings.

3. Those who shall have been present with boats shall be sentenced to three shillings.

4. But those who commit rape shall be compelled to pay 2500 denars, which make 63 shillings.

5. But if they have carried off that girl from behind lock and key, or from the spinning room, they shall be sentenced to the above price and penalty.

6. But if the girl who is carried off be under the king's protection, then the "frith" (peace-money) shall be 2500 denars, which make 63 shillings.

7 But if a bondsmen of the king, or a leet, should carry off a free woman, he shall be sentenced to death.

8. But if a free woman have followed a slave of her own will, she shall lose her freedom.

9. If a freeborn man shall have taken an alien bonds-woman, he shall suffer similarly.

10. If any body take an alien spouse and join her to himself in matrimony, he shall be sentenced to 2500 denars, which make 63 shillings.

Title XIV. Concerning Assault and Robbery.

1. If any one have assaulted and robbed a free man, and it be proved on him, he shall be sentenced to 2500 denars, which make 63 shillings.

2. If a Roman have plundered a Salian Frank, the above law shall be observed.

3. But if a Frank have plundered a Roman, he shall be sentenced to 35 shillings.

4. If any man should wish to migrate, and has permission from the king, and shall have sworn this in the public "Thing:" whoever,

contrary to the decree of the king, shall presume to oppose him, shall be sentenced to 8000 denars, which make 200 shillings.

Title XV. Concerning Arson.

1. If any one shall set fire to a house in which men were sleeping, as many freemen as were in it can make complaint before the "Thing;" and if any one shall have been burned in it, the incendiary shall be sentenced to 2500 denars, which make 63 shillings.

Title XVII. Concerning Wounds.

1. If any one have wished to kill another person, and the blow have missed, he on whom it was proved shall be sentenced to 2500 denars, which make 63 shillings.

2. If any person have wished to strike another with a poisoned arrow, and the arrow have glanced aside, and it shall be proved on him: he shall be sentenced to 2500 denars, which make 63 shillings.

3. If any person strike another on the head so that the brain appears, and the three bones which lie above the brain shall project, he shall be sentenced to 1200 denars, which make 30 shillings.

4. But if it shall have been between the ribs or in the stomach, so that the wound appears and reaches to the entrails, he shall be sentenced to 1200 denars—which make 30 shillings for the physician's pay.

5. If any one shall have struck a man so that blood falls to the floor, and it be proved on him, he shall be sentenced to 600 denars, which make 15 shillings.

6. But if a freeman strike a freeman with his fist so that blood does not flow, he shall be sentenced for each blow—up to 3 blows— to 120 denars, which make 3 shillings.

Title XVIII. Concerning him who, before the King, accuses an innocent Man.

If any one, before the king, accuses an innocent man who is absent, he shall be sentenced to 2500 denars, which make 63 shillings.

Title XIX. Concerning Magicians.

1. If any one have given herbs to another so that he die, he shall be sentenced to 200 shillings (or shall surely be given over to fire).

2. If any person have bewitched another, and he who was thus treated shall escape, the author of the crime, who is proved to have committed it, shall be sentenced to 2500 denars, which make 63 shillings.

Title XXIV. Concerning the Killing of little children and women.

1. If any one have slain a boy under 10 years—up to the end of the tenth—and it shall have been proved on him, he shall be sentenced

to 24000 denars, which make 600 shillings.

3. If any one has hit a free woman who is pregnant, and she dies, he shall be sentenced to 28000 denars, which make 700 shillings.

6. If any one have killed a free woman after she has begun bearing children, he shall be sentenced to 24000 denars, which make 600 shillings.

7. After she can have no more children, he who kills her shall be sentenced to 8000 denars, which make 200 shillings.

Title XXX. Concerning Insults.

3. If any one, man or woman, shall have called a woman harlot, and shall have not been able to prove it, he shall be sentenced to 1800 denars, which make 45 shillings.

4. If any person shall have called another "fox," he shall be sentenced to 3 shillings.

5. If any man shall have called another "hare," he shall be sentenced to 3 shillings.

6. If any man shall have brought it up against another that he have thrown away his shield, and shall have not been able to prove it, he shall be sentenced to 120 denars, which make 3 shillings.

7. If any man shalled have called another "spy" or "perjurer," and shall have not been able to prove it, he shall be sentenced to 600 denars, which make 15 shillings.

Title XXXIII. Concerning the theft of hunting animals.

2. If any one have stolen a tame marked stag (-hound?), trained to hunting, and it shall have been proved through witnesses that his master had him for hunting, or had killed with him two or three beasts, he shall be sentenced to 1800 denars, which make 45 shillings.

Title XXXIV. Concerning the Stealing of Fences.

1. If any man shall have cut three staves by which a fence is bound or held together, or have stolen or cut the heads of 3 stakes, he shall be sentenced 600 denars, which make 15 shillings.

2. If any one shall have drawn a harrow through another's harvest after it is sprouted, or have gone through it with a wagon where there was no road, he shall be sentenced to 120 denars, which make 3 shillings.

3. If any one shall have gone, where there is no way or path, through another's harvest which has already become thick, he shall be sentenced to 600 denars, which make 15 shillings.

Title XLI. Concerning the Murder of Free Men.

1. If any one shall have killed a free Frank, or barbarian, living

under the Salic law, and it have been proved on him, he shall be sentenced to 8000 denars.

2. But if he shall have thrown him into a well or into the water, or shall have covered him with branches or anything else, to conceal him, he shall be sentenced to 24000 denars, which make 600 shillings.

3. But if any one have slain a man who is in the service of the king, he shall be sentenced to 24000 denars, which make 600 shillings.

4. But if he have put him in the water or in a well, and covered him with anything to conceal him, he shall be sentenced to 72000 denars, which make 1800 shillings.

5. If any one have slain a Roman who eats in the king's palace, and it have been proved to him, he shall be sentenced to 12000 denars, which make 300 shillings.

6. But if the Roman shall not have been a landed proprietor and table companion of the king, he who killed him shall be sentenced to 4000 denars, which make 100 shillings.

7. But if he shall have killed a Roman who was obliged to pay tribute, he shall be sentenced to 63 shillings.

9. If any one have thrown a free man into a well, and he have escaped alive, he (the criminal) shall be sentenced to 4000 denars, which make 100 shillings.

Title XLV. Concerning Migrators.

1. If any one wish to migrate to another village and if one or more who live in the village do not wish to receive him,—if there be only one who objects, he shall not have leave to move there.

2. But if he shall have presumed to settle in the village in spite of his rejection by one or two men, then some one shall give him warning. And if he be unwilling to go away, he who gives him warning shall give him warning, with witnesses, as follows: I warn thee that thou may'st remain here this next night as the Salic law demands, and I warn thee that within 10 nights thou shalt go forth from this village. After another 10 nights he shall again come to him and warn him again within 10 nights to go away. If he shall refuse to go, again 10 nights shall be added to the command, that the number of 30 nights may be full. If he will not go away even then, then he shall summon him to the "Thing," and present his witnesses as to the separate commands to leave. If he who has been warned will not then move away, and no valid reason detains him, and all the above warnings which we have mentioned have been given according to law: then he who gave him warning shall take the matter into his own hands and request the

"comes" to go to the place and expel him. And because he would not listen to the law, that man shall relinquish all that he has earned there, and, besides, shall be sentenced to 1200 denars, which make 30 shillings.

3. But if any one have moved there, and within 12 months no one have given him warning, he shall remain as secure as the other neighbours.

Title XLIV. Concerning Marrying a Widow.

1. If as sometimes happens, a man should die and leave a widow, he who would take her to wife, before he marries her, should appear before the Thuniginus or the Centenarius—that is—the Thuniginus or Centenarius should call together a court—and the man should have a shield in the court, and three men should ask the needful question, and then he who would marry the widow ought to have with him the three shillings of just weight and one denar, and there should be three men to weigh and try the shillings, and when this is done, if it is satisfactory to them, let the man have her.

2. But if he should not do this and should yet take the widow, he must pay 63 shillings to the one to whom belongs the reipus (the payment of the 3 shilllings and 1 denar).

Title XLVI. Concerning Transfers of Property.

1. The observance shall be that the Thuniginus or Centenarius shall call together a "Thing," and shall have his shield in the "Thing," and shall demand three men as witnesses for each of the three transactions. He (the owner of the land to be transferred) shall seek a man who has no connection with himself, and shall throw a stalk into his lap. And to him into whose lap he has thrown the stalk he shall tell, concerning his property, how much of it—or whether the whole or the half—he wishes to give. He in whose lap he threw the stock shall remain in his (the owner's) house, and shall collect three or more guests, and shall have the property—as much as is given him—in his power. And, afterwards, he to whom that property is entrusted shall discuss all these things with the witnesses collected afterwards, either before the king or in the regular "Thing," he shall give the property up to him for whom it was intended. He shall take the stock in the "Thing," and, before 12 months are over, shall throw it into the lap of him whom the owner has named heir; and he shall restore not more nor less, but exactly as much as was entrusted to him.

2. And if any one shall wish to say anything against this, three sworn witnesses shall say that they were in the "Thing" which the "Thuniginus" or "Centenarius" called together and that they saw the

man who wished to give his property throw a stalk into the lap of him whom he had selected. They shall name by name him who threw his property into the lap of the other, and, likewise, shall name him whom he named as heir. And three other sworn witnesses shall say that he in whose lap the stalk was thrown had remained in the house of him who gave his property, and had there collected three or more guests, and that they had eaten porridge at table, and that he had collected those who were bearing witness, and that those guests had thanked him for their entertainment. All this those other sworn witnesses shall say, and that he who received that property in his lap in the "Thing" held before the king, or in the regular public "Thing," did publicly, before the people, either in the presence of the king or in public "Thing" —namely on the Mallberg, before the "Thuniginus"—throw the stalk into the lap of him whom the owner had named as heir. And thus 9 witnesses shall confirm all this.

Title XLVII. Concerning Lost or Stolen Property.

If any one should find a slave or a horse or a bull or any piece of his property in the possession of another, let him put his hand on it and demand how the holder got it. Then let that one with whom the thing is found give his oath [that he obtained it innocently], and if both the one who found his property and the one with whom it was found dwell between the Loire River and the Carbonaria [Ardennes forest], let them fix on a term within 40 nights, and within that time all who have had any part in the dealing—that is, any one who either sold, or exchanged or gave in payment that horse, shall be given notice; that is, each one of such persons who at any time held the thing shall give back the warning to the one from whom he got it. And if any one of them has been thus notified and is not detained by legal necessity and fails to come at the time appointed, then the one who had dealt with him shall present 3 witnesses that he had notified the delinquent to come to the court and 3 others that he had dealt with him in public [when he got the property in dispute]. If he does this he clears himself from charge of theft. And he who would not come, against whom the aforesaid witnesses gave evidence, will be accounted the robber of him who owns the thing, and must return the price to the man who had dealt with him, and also make compensation according to the law to him who now owns it. All these things should be done at the court, to which he is subject in whose hands the thing was first found and from whom it was traced. But if the man with whom it was found dwells

beyond the Loire of the Carbonania [Ardennes forest] this same law is to be observed within a limit of 80 nights.

Title L. Concerning Promises to Pay.

1. If any freeman or leet have made to another a promise to pay, then he to whom the promise was made shall, within 40 days or within such term as was agreed when he made the promise, go to the house of that man with witnesses, or with appraisers. And if he (the debtor) be unwilling to make the promised payment, he shall be sentenced to 15 shillings above the debt which he had promised.

2. If he then be unwilling to pay, he (the creditor) shall summon him before the "Thing" and thus accuse him: "I ask thee, 'Thuniginus,' to bann my opponent who made me a promise to pay and owes me a debt." And he shall state how much he owes and promised to pay. Then the "Thuniginus" shall say: "I bann thy opponent to what the Salic law decrees." Then he to whom the promise was made shall warn him (the debtor) to make no payment or pledge of payment to any body else until he have fulfilled his promise to him (the creditor). And straightway on that same day, before the sun sets, he shall go to the house of that man with witnesses, and shall ask if he will pay that debt. If he will not, he (the creditor) shall wait until after sunset; then, if he have waited until after sunset, 120 denars, which make 3 shillings shall be added to the debt. And this shall be done up to 3 times in 3 weeks. And if the third time he will not pay all this, it (the sum) shall increase to 360 denars, or 9 shillings: so, namely, that, after each admonition or waiting until after sunset, 3 shillings shall be added to the debt.

3. If any one be unwilling to fulfil his promise in the regular assembly,—then he to whom the promise was made shall go to the count of that place, in whose district he lives, and shall take the stock and shall say: oh count, that man made me a promise to pay, and I have lawfully summoned him before the court according to the Salic law on this matter; I pledge thee myself and my fortune that thou may'st safely seize his property. And he shall state the case to him, and shall tell how much he (the debtor) had agreed to pay. Then the count shall collect 7 suitable bailiffs, and shall go with them to the house of him who made the promise and shall say: thou who art here present pay voluntarily to that man what thou didst promise, and choose any two of these bailiffs who shall appraise that from which thou shalt pay; and make good what thou dost owe, according to a just appraisal. But if he will not hear, or be absent, then the bailiffs shall take from his

property the value of the debt which he owes. And, according to law, let the accuser take two-thirds of that which the debtor owes, and the count shall collect for himself the other third as peace money; unless the peace money shall have been paid to him before in this same matter.

4. If the count have been appealed to, and no sufficient reason, and no duty of the king, have detained him—and if he have put off going, and have sent no substitute to demand law and justice: he shall answer for it with his life, or shall redeem himself with his "wergeld."

Title LIV. Concerning the Slaying of a Count.

1. If any one slay a count, he shall be sentenced to 2400 denars, which make 600 shillings.

Title LV. Concerning the Plundering of Corpses.

2. If any one shall dig up and plunder a corpse already buried, and it shall have been proved on him, he shall be outlawed until the day when he comes to an agreement with the relatives of the dead man, and they ask for him that he be allowed to come among men. And whoever, before he come to an agreement with the relative, shall give him bread and shelter—even if they are his relations or his own wife—shall be sentenced to 600 denars which make xv shillings.

3. But he who is proved to have committed the crime shall be sentenced to 8000 denars, which make 200 shillings.

Title LVI. Concerning him who shall have scorned to come to Court.

1. If any man shall have scorned to come to court, and shall have put off fulfilling the injunction of the bailiffs, and shall not have been willing to consent to undergo the fine, or the kettle ordeal, or anything prescribed by law: then he (the plaintiff) shall summon him to the presence of the king. And there shall be 12 witnesses who—3 at a time being sworn—shall testify that they were present when the bailiff enjoined him (the accused) either to go to the kettle ordeal, or to agree concerning the fine; and that he had scorned the injunction. Then 3 others shall swear that they were there on the day when the bailiffs enjoined that he should free himself by the kettle ordeal or by composition; and that 40 days after that, in the "mallberg," he (the accuser) had again waited until after sunset, and that he (the accused) would not obey the law. Then he (the accuser) shall summon him before the king for a fortnight thence; and three witnesses shall swear that they were there when he summoned him and when he waited for sunset. If he does not then come, these 9, being sworn, shall give testimony as we have above explained. On that day likewise, if he do not come,

he (the accuser) shall let the sun go down on him, and shall have 3 witnesses who shall be there when he waits till sunset. But if the accuser shall have fulfilled all this, and the accused shall not have been willing to come to any court, then the king, before whom he has been summoned, shall withdraw his protection from him. Then he shall be guilty, and all his goods shall belong to the fisc, or to him to whom the fisc may wish to give them. And whoever shall have fed or housed him—even if it were his own wife—shall be sentenced to 600 denars, which make 15 shillings; until he (the debtor) shall have made good all that has been laid to his charge.

Title LVII. Concerning the "Chrenecruda."

1. If any one have killed a man, and, having given up all his property, has not enough to comply with the full terms of the law, he shall present 12 sworn witnesses to the effect that, neither above the earth nor under it, has he any more property than he has already given. And he shall afterward go into his house, and shall collect in his hand dust from the four corners of it, and shall afterward stand upon the threshold, looking inwards into the house. And then, with his left hand, he shall throw over his shoulder some of that dust on the nearest relative that he has. But if his father and (his father's) brothers have already paid, he shall then throw that dust on their (the brothers') children—that is, over three (relatives) who are nearest on the father's and three on the mother's side. And after that, in his shirt, without girdle and without shoes, a staff in his hand, he shall spring over the hedge. And then those three shall pay half of what is lacking of the compounding money or the legal fine; that is, those others who are descended in the paternal line shall do this.

2. But if there be one of those relatives who has not enough to pay his whole indebtedness, he, the poorer one, shall in turn throw the "chrenecruda" on him of them who has the most, so that he shall pay the whole fine.

3. But if he also have not enough to pay the whole, then he who has charge of the murderer shall bring him before the "Thing," and afterwards to 4 Things, in order that they (his friends) may take him under their protection. And if no one have taken him under his protection—that is, so as to redeem him for what he cannot pay—then he shall have to atone with his life.

Title LIX. Concerning private Property.

1. If any man die and leave no sons, if the father and mother survive, they shall inherit.

2. If the father and mother do not survive, and he leave brothers and sisters, they shall inherit.

3. But if there are none, the sisters of the father shall inherit.

4. But if there are no sisters of the father, the sisters of the mother shall claim the inheritance.

5. If there are none of these, the nearest relatives on the father's side shall succeed to the inheritance.

6. BUT OF SALIC LAND NO PORTION OF THE INHERITANCE SHALL COME TO A WOMAN: BUT THE WHOLE INHERITANCE OF THE LAND SHALL COME TO THE MALE SEX.

Title LXII. Concerning Wergeld.

1. If any one's father have been killed, the sons shall have half of the compounding money (wergeld); and the the other half to the nearest relatives, as well on the mother's as on the father's side, shall divide among themselves.

2. But if there are no relatives, paternal or maternal, that portion shall go to the fisc.

TRANSLATIONS OF HENDERSON AND MC NEAL.

THE ANGLO-SAXONS

THE ACCOUNTS below of the conquest of Britain by the Anglo-Saxons, their conversion, and the triumph of the Roman, as against the Irish church are by Bada, or Bede. He lived from 673 to 735 and was one of the most learned and most famous of the early English fathers. He is our best authority on early England, especially in church affairs.

THE ANGLO-SAXON CONQUEST OF BRITAIN

The Angles, being invited into Britain, at first obliged the enemy to retire to a distance; but not long after, joining in league with them, turned their weapons upon their confederates. [A. D. 450—456.]

IN the year of our Lord 499, Martian being made emperor with Valentian, and forty-sixth from Augustus, ruled the empire seven years. Then the nation of the Angles, or Saxons, being invited by the

aforesaid king, arrived in Britain with three long ships, and had a place assigned them to reside in by the same king, in the eastern part of the island, that they might thus appear to be fighting for their country, whilst their real intentions were to enslave it. Accordingly they engaged with the enemy, who were come from the north to give battle, and obtained the victory; which, being known at home in their own country which is called Anglia, and which is said, from that time, to the Britons, a more considerable fleet was quickly sent over, bringing a still greater number of men, which being added to the former, made up an invincible army. The new comers received of the Britons a place to inhabit, upon condition that they should wage war against their enemies for the peace and security of the country, whilst the Britons agreed to furnish them with pay. Those who came over were of the three most powerful nations of Germany—Saxons, Angles, and Jutes. From the Jutes are descended the people of Kent, and of the Isle of Wight, and those also of the province of West-Saxons who are to this day called Jutes, seated opposite to the Isle of Wight. From the Saxons, that is, the country which is now called Old Saxony, came the East-Saxons, the South-Saxons, and the West-Saxons. From Angles, that is, the country, as also the fertility of the country, and the cowardice of remain desert to this day, between the provinces of the Jutes and the Saxons, are descended the East-Angles, the Midland-Angles, Mercians, all the race of the Northumbrians, that is, of those nations that dwell on the north side of the river Humber, and the other nations of the English. The two first commanders are said to have been Hengist and Horsa,, of whom Horsa, being afterwards slain in battle by the Britons, was buried in the eastern parts of Kent, where a monument, bearing his name, is still in existence. They were the sons of Victgilsus, whose father was Vecta, son of Woden; from whose stock the royal race of many provinces deduce their origin. In a short time, swarms of the aforesaid nations came over into the island, and they began to increase so much, that they became terrible to the natives themselves who had invited them. Then, having on a sudden entered into league with the Picts, whom they had by this time repelled by the force of their arms, they began to turn their weapons against their confederates. At first, they obliged them to furnish a greater quantity of provisions; and, seeking an occasion to quarrel, protested, that unless more plentiful supplies were brought them, they would break the confederacy, and ravage all the island; nor were they backward in putting their threats in execution. In short, the fire kindled by the hands of these pagans,

proved God's just revenge for the crimes of the people; not unlike that which, being once lighted by the Chaldeans, consumed the walls and city of Jerusalem. For the barbarous conquerors acting here in the same manner, or rather the just Judge ordaining that they should so act, they plundered all the neighboring cities and country, spread the conflagration from the eastern to the western sea, without any opposition, and covered almost every part of the devoted island. Public as well as private structures were overturned; the priests were everywhere slain before the altars; the prelates and the people, without any respect of persons, were destroyed with fire and sword; nor was there any to bury those who had been thus cruelly slaughtered. Some of the miserable remainder, being taken in the mountains, were butchered in heaps. Others, spent with hunger, came forth and submitted themselves to the enemy for food, being destined to undergo perpetual servitude, if they were not killed even upon the spot. Some, with sorrowful hearts, fled beyond the seas. Others, continuing in their own country, led a miserable life among the woods, rocks, and mountains, with scarcely enough food to support life, and expecting every moment to be their last. —Bede Eccles. Hist., I. 15.

THE CONVERSION OF KENT

How Pope Gregory sent Augustine, with other monks, to preach to the English nation, and encouraged them by a letter of exhortation, not to cease from their labor. [A. D. 596.]

In the year of our Lord 582, Maurice, the fifty-fourth from Augustus, ascended the throne, and reigned twenty-one years. In the tenth year of his reign, Gregory, a man renowned for learning and behavior, was promoted to the apostolical see of Rome, and presided over it thirteen years, six months and ten days. He, being moved by Divine inspiration, in the fourteenth year of the same emperor, and about the one hundred and fiftieth after the coming of the English into Britain, sent the servant of God, Augustine, and with him several other monks, who feared the Lord, to preach the word of God to the English nation. They having, in obedience to the pope's commands, undertaken that work, were, on their journey, seized with a sudden fear, and began to think of returning home, rather than proceed to a barbarous, fierce, and unbelieving nation, to whose very language they were strangers; and this they unanimously agreed was the safest course. In short, they

sent back Augustine, who had been appointed to be consecrated bishop in case they were received by the English, that he might, by humble entreaty, obtain of the holy Gregory, that they should not be compelled to undertake so dangerous, toilsome, and uncertain a journey. The pope, in reply, sent them a hortatory epistle, persuading them to proceed in the work of the Divine word, and rely on the assistance of the Almighty. The purport of which letter was as follows:

"Gregory, the Servant of Servants of God, to the Servants of Our Lord—Forasmuch as it had been better not to begin a good work, than to think of desisting from that which has been begun, it behoves you, my beloved sons, to fulfil the good work, which, by the help of our Lord, you have undertaken. Let not, therefore, the toil of the journey, nor the tongues of evil speaking men, deter you; but with all possible earnestness and zeal perform that which, by God's direction, you have undertaken; being assured, that much labor is followed by an eternal reward. When Augustine, your chief, returns, whom we also constitute your abbot, humbly obey him in all things: knowing, that whatsoever you shall do by his direction, will, in all respects, be available to your souls. Almighty God protect you with His grace, and grant that I may, in the heavenly country, see the fruits of your labor. Inasmuch as, though I cannot labor with you, I shall partake in the joy of the reward, because I am willing to labor. God keep you in safety, my most beloved sons. Dated the 23rd of July, in the fourteenth year of the reign of our pious and most august lord, Mauritius Tiberius, the thirteenth year after the consulship of our said lord. The fourteenth indiction."

CHAP. XXLV.

How he wrote to the bishop of Arles to entertain him. [A. D. 596.]

The same venerable pope also sent a letter to Ætherius, bishop of Arles, exhorting him to give favorable entertainment to Augustine on his way to Britain; which letter was in these words:

"To His Most Reverend and Holy Brother and Fellow Bishop Ætherius, Gregory, the Servant of the Servants of God—Although religious men stand in need of no recommendation with priests who have the charity which is pleasing to God, yet as a proper opportunity is offered to write, we have thought fit to send you this our letter, to inform you that we have directed thither, for the good of souls, the bearer of these presents, Augustine, the servant of God, of whose industry we are assured, with other servants of God, whom it is requisite that your holi-

ness assist with priestly affection, and afford him all the comfort in your power. And to the end that you may be the more ready in your assistance, we have enjoined him particularly to inform you of the occasion of his coming; knowing, that when you are acquainted with it, you will, as the matter requires, for the sake of God, zealously afford him your relief. We also in all things recommend to your charity, Candidus, the priest, our common son, whom we have transferred to the government of a small patrimony in our church. God keep you in safety, most reverend brother. Dated the 23rd day of July, in the fourteenth year of the reign of our most pious and august lord, Mauritius Tiberius, the thirteenth year after the consulship of our lord aforesaid. The fourteenth indiction."

CHAP. XXV.

Augustine, coming into Britain, first preached in the Isle of Thanet to King Ethelbert, and having obtained license, entered the kingdom of Kent, in order to preach therein. [A. D. 597.]

Augustine, thus strengthened by the confirmation of the blessed Father Gregory, returned to the work of the word of God, with the servants of Christ, and arrived in Britain. The powerful Ethelbert was at that time king of Kent; he had extended his dominions as far as the great river Humber, by which the Southern Saxons are divided from the Northern. On the east of Kent is the large isle of Thanet, containing, according to the English way of reckoning, 600 families, divided from the other land by the river Wantsum, which is about three furlongs over, and fordable only in two places, for both ends of it run into the sea. In this island landed the servant of our Lord, Augustine, and his companions, being, as is reported, nearly forty men. They had, by order of the blessed Pope Gregory, taken interpreters of the nation of the Franks, and sending to Ethelbert, signified that they were come from Rome, and brought a joyful message, which most undoubtedly assured to all that took advantage of it everlasting joys in heaven, and a kingdom that would never end, with the living and true God. The king having heard this, ordered them to stay in that island where they had landed, and that they should be furnished with all necessaries, till he should consider what to do with them. For he had before heard of the Christian religion, having a Christian wife of the royal family of the Franks, called Bertha, whom he had received from her parents, upon condition that she should be permitted to practice her religion with the Bishop Luidhard, who was sent with her to preserve her faith. Some

days after, the king came into the island, and sitting in the open air, ordered Augustine and his companions to be brought into his presence. For he had taken precaution that they should not come to him in any house, lest, according to an ancient superstition, if they practiced any magical arts, they might impose upon him, and so get the better of him. But they came furnished with Divine, not magic virtue, bearing a silver cross for their banner, and the image of our Lord and Savior painted on a board; and singing the litany, they offered up their prayers to the Lord for the eternal salvation both of themselves and of those to whom they were come. When he had sat down, pursuant to the king's commands, and preached to him and his attendants there present, the word of life, the king answered thus: "Your words and promises are very fair, but as they are new to us, and of uncertain import, I cannot approve of them so far as to forsake that which I have so long followed with the whole English nation. But because you are come from far into my kingdom, and, as I conceive, are desirous to impart to us those things which you believe to be true and most beneficial, we will not molest you, but give you favorable entertainment, and take care to supply you with your necessary sustenance; nor do we forbid you to preach and gain as many as you can to your religion." Accordingly he permitted them to reside in the city of Canterbury, which was the metropolis of all his dominions, and, pursuant to his promise, besides allowing them sustenance, did not refuse them liberty to preach. It is reported that, as they drew near to the city, after their manner, with the holy cross, and the image of our sovereign Lord and King, Jesus Christ, they, in concert, sung this litany: "We beseech thee, O Lord, in all thy mercy, that thy anger and wrath be turned away from this city, and from thy holy house, because we have sinned. Hallelujah."

CHAP. XXVI.

St. Augustine in Kent followed the doctrine and manner of living of the primitive church, and settled his episcopal see in the royal city. [A. D. 597.]

As soon as they entered the dwelling-place assigned them, they began to imitate the course of life practiced in the primitive church, applying themselves to frequent prayer, watching and fasting; preaching the word of life to as many as they could; despising all worldly things, as not belonging to them; receiving only their necessary food from those they taught; living themselves in all respects conformably to

what they prescribed to others, and being always disposed to suffer any adversity, and even to die for that truth which they preached. In short, several believed and were baptized, admiring the simplicity of their innocent life, and the sweetness of their heavenly doctrine. There was on the east side of the city, a church dedicated to the honor of St. Martin, built whilst the Romans were still in the island, wherein the queen, who, as has been said before, was a Christian, used to pray. In this they first began to meet, to sing, to pray, to say mass, to preach, and to baptize, till the king, being converted to the faith, allowed them to preach openly, and build or repair churches in all places.

When he, among the rest, induced by the unspotted life of these holy men, and their delightful promises, which, by many miracles, they proved to be most certain, believed and was baptized, greater numbers began daily to flock together to hear the word, and, forsaking their heathen rites, to associate themselves, by believing, to the unity of the church of Christ. Their conversion the king so far encouraged, as that he compelled none to embrace Christianity, but only showed more affection to the believers, as to his fellow citizens in the heavenly kingdom. For he had learned from his instructors and leaders to salvation, that the service of Christ ought to be voluntary, not by compulsion. Nor was it long before he gave his teachers a settled residence in his metropolis of Canterbury, with such possessions of different kinds as were necessary for their subsistence.—Bede, Eccles. His., I. 23-26.

THE CONVERSION OF THE EAST ANGLES

Of the Council he held with his chief men about embracing the faith of Christ, and how the high priest profaned his own altars. [A. D. 627.]

The king, hearing these words, answered, that he was both willing and bound to receive the faith which he taught, but that he would confer about it with his principal friends and counsellors, to the end that if they also were of his opinion, they might all together be cleansed in Christ, the Fountain of Life. Paulinus consenting, the king did as he said; for, holding a council with the wise men, he asked of every one in particular what he thought of the new doctrine, and the new worship that was preached? To which the chief of his own priests, Coifi, immediately answered: "O king, consider what this is which is now preached to us, for I verily declare to you that the religion which we have hitherto

professed has, as far as I can learn, no virtue in it. For none of your people has applied himself more diligently to the worship of our gods than I; and yet there are many who receive greater favors from you, and are more preferred than I, and are more prosperous in all their undertakings. Now, if the gods were good for anything, they would rather forward me, who have been more careful to serve them. It remains, therefore, that if upon examination you find those new doctrines, which are now preached to us, better and more efficacious, we immediately receive them without any delay."

Another of the king's chief men, approving of his words and exhortations, presently added: "The present life of man, O king, seems to me, in comparison of that time which is unknown to us, like to the swift flight of a sparrow through the room wherein you sit at supper in winter, with your commanders and ministers, and a good fire in the midst, whilst the storms of rain and snow prevail abroad; the sparrow, I say, flying in at one door, and immediately out at another, whilst he is within, is safe from the wintry storm; but after a short space of fair weather, he immediately vanishes out of your sight, into the dark winter from which he had emerged. So this life of man appears for a short space, but of what went before, or what is to follow, we are utterly ignorant. If, therefore, this new doctrine contains something more certain, it seems justly to deserve to be followed." The other elders and king's counsellors, by Divine inspiration, spoke to the same effect.

But Coifi added that he wished more attentively to hear Paulinus discourse concerning the God whom he preached; which he having by the king's command performed, Coifi, hearing his words, cried out, "I have long since been sensible that there was nothing in that which we worshipped, because the more diligently I sought after truth in that worship, the less I found it. But now I freely confess that such truth evidently appears in this preaching as can confer on us the gifts of life, of salvation, and of eternal happiness. For which reason I advise, O king, that we instantly abjure and set fire to those temples and altars which we have consecrated without reaping any benefit from them." In short, the king publicly gave his license to Paulinus to preach the Gospel, and renouncing idolatry, declared that he received the faith of Christ; and when he inquired of the high priest who should first profane the altars and temples of their idols, with enclosures that were about them, he answered, "I; for who can more properly than myself destroy those things which I worshipped through ignorance, for an example to

all others, through the wisdom which has been given me by the true God?" Then immediately, in contempt of his former superstitions, he desired the king to furnish him with arms and a stallion; and mounting the same, he set out to destroy the idols; for it was not lawful before for the high priest either to carry arms, or to ride on any but a mare. Having, therefore, girt a sword about him, with a spear in his hand, he mounted the king's stallion and proceeded to the idols. The multitude, beholding it, concluded he was distracted; but he lost no time, for as soon as he drew near the temple he profaned the same, casting into it the spear which he held; and rejoicing in the knowledge of the worship of the true God, he commanded his companions to destroy the temple, with all its enclosures, by fire. This place where the idols were is still shown, not far from York, to the eastward, beyond the river Derwent, and is now called Godmundingham, where the high priest, by the inspiration of the true God, profaned and destroyed the altars which he had himself consecrated.—II. 13.

THE LAST OF THE IRISH CHURCH IN ENGLAND

How the controversy arose about the due time of keeping Easter, with those that came out of Scotland. [A. D. 652.]

In the meantime, Bishop Aidan being dead, Finan, who was ordained and sent by the Scots, succeeded him in the bishopric, and built a church in the Isle of Lindisfarne, the episcopal see; nevertheless, after the manner of the Scots, he made it, not of stone, but of hewn oak, and covered it with reeds; and the same was afterwards dedicated in honor of St. Peter, the Apostle, by the reverend Archbishop Theodore. Eadbert, also bishop of that place, took off the thatch, and covered it, both roof and walls, with plates of lead.

At this time, a great and frequent controversy happened about the observance of Easter, those that came from Kent or France affirming that the Scots kept Easter Sunday contrary to the custom of the universal church. Among them was a most zealous defender of the true Easter, whose name was Ronan, a Scot by nation, but instructed in ecclesiastical truth, either in France or Italy, who, disputing with Finan, convinced many, or at least induced them to make a more strict inquiry after the truth; yet he could not prevail upon Finan, but, on the contrary, made him the more inveterate by reproof, and a professed opposer of the truth, being of a hot and violent temper. James, formerly the

deacon of the venerable Archbishop Paulinus, as has been said above, kept the true and Catholic Easter, with all those that he could persuade to adopt the right way. Queen Eanfleda and her followers also observed the same as she had seen practiced in Kent, having with her a Kentish priest that followed the Catholic mode, whose name was Romanus. Thus it is said to have happened in those times that Easter was twice kept in one year, and that when the king having ended the time of fasting, kept his Easter, the queen and her followers were still fasting and celebrating Palm Sunday. This difference about the observance of Easter, whilst Aidan lived, was patiently tolerated by all men, as being sensible, that though he could not keep Easter contrary to the custom of those who had sent him, yet he industriously labored to practice all works of faith, piety, and love, according to the custom of all holy men, for which reason he was deservedly beloved by all, even by those who differed in opinion concerning Easter, and was held in veneration, not only by indifferent persons, but even by the bishops, Honorius of Canterbury, and Felix of the East Angles.

But after the death of Finan, who succeeded him, when Colman, who was also sent out of Scotland, came to be bishop, a greater controversy arose about the observance of Easter, and the rules of ecclesiastical life. Whereupon this dispute began naturally to influence the thoughts and hearts of many, who feared, lest having received the name of Christians, they might happen to run, or to have run, in vain. This reached the ears of King Oswy and his son Alfrid; for Oswy, having been instructed and baptized by the Scots, and being very perfectly skilled in their language, thought nothing better than what they taught. But Alfrid, having been instructed in Christianity by Wilfrid, a most learned man, who had first gone to Rome to learn the ecclesiastical doctrine, and spent much time at Lyons with Dalfin, archbishop of France, from whom also he had received the ecclesiastical tonsure, rightly thought this man's doctrine ought to be preferred before all the traditions of the Scots. For this reason he had also given him a monastery of forty families, at a place called Rhypum, which place, not long before, he had given to those that followed the system of the Scots for a monastery; but forasmuch as they afterwards, being left to their choice, prepared to quit the place rather than alter their opinion, he gave the place to him, whose life and doctrine were worthy.

Agilbert, bishop of the West Saxons, above-mentioned, a friend to King Alfrid and to Abbot Wilfrid, had at that time come into the province of the Northumbrians, and was making some stay among them;

at the request of Alfrid, made Wilfrid a priest in his monastery. He had in his company a priest whose name was Agatho. The controversy being there started, concerning Easter, or the tonsure, or other ecclesiastical affairs, it was agreed that a synod should be held in the monastery of Streane halch, which signifies the Bay of the Lighthouse, where the Abbess Hilda, a woman devoted to God, then presided; and that there this controversy should be decided. The kings, both father and son, came thither, Bishop Colman, with his Scottish clerks, and Agilbert with the priests Agatho and Wilfrid, James and Romanus were on their side; but the Abbess Hilda and her followers were for the Scots, as was also the venerable Bishop Cedd, long before ordained by the Scots, as has been said above, and he was in that council a most careful interpreter for both parties.

King Oswy first observed that it behoved those who served one God to observe the same rule of life; and as they all expected the same kingdom in heaven, so they ought not to differ in the celebration of the Divine mysteries; but rather to inquire which was the truest tradition, that the same might be followed by all. He then commanded his bishop, Colman, first to declare what the custom was which he observed, and whence it derived its origin. Then Colman said: "The Easter which I keep, I received from my elders, who sent me bishop hither; all our forefathers, men beloved of God, are known to have kept it after the same manner; and that the same may not seem to any contemptible or worthy to be rejected, it is the same which St. John, the Evangelist, the disciple beloved of our Lord, with all the churches over which he presided, is recorded to have observed." Having said thus much, and more to the like effect, the king commanded Agilbert to show whence his custom of keeping Easter was derived, or on what authority it was grounded. Agilbert answered: "I desire that my disciple, the priest Wilfrid, may speak in my stead, because we both concur with the other followers of the ecclesiastical tradition that are here present, and he can better explain our opinion in the English language, than I can by an interpreter."

Then Wilfrid, being ordered by the king to speak, delivered himself thus: "The Easter which we observe, we saw celebrated by all at Rome, where the blessed apostles, Peter and Paul, lived, taught, suffered, and were buried; we saw the same done in Italy and in France, when we travelled through those countries for pilgrimage and prayer. We found the same practiced in Africa, Asia, Egypt, Greece, and all the world, wherever the church of Christ is spread abroad, through

several nations and tongues, at one and the same time; except only these and their accomplices in obstinacy, I mean the Picts and the Britons, who foolishly, in these two remote islands of the world, and only in part even of them, oppose all the rest of the universe." When he had so said, Colman answered: "It is strange that you will call our labors foolish, wherein we follow the example of so great an apostle, who was thought worthy to lay his head on our Lord's bosom, when all the world knows him to have lived most wisely." Wilfrid replied: "Far be it from us to charge John with folly, for he literally observed the precepts of the Jewish law, whilst the church still Judaized in many points, and the apostles were not able at once to cast off all the observances of the law which had been instituted by God. In which way it is necessary that all who come to the faith should forsake the idols which were invented by devils, that they give not scandal to the Jews that were among the Gentiles. For this reason it was that Paul circumcised Timothy, that he offered sacrifice in the temple, that he shaved his head with Aquila and Priscilla at Corinth; for no other advantage than to avoid giving scandal to the Jews. Hence it was that James said to the same Paul, 'You see, brother, how many thousands of the Jews have believed; and they are zealous for the law. And yet, at this time, the Gospel spreading throughout the world, it is needless, nay, it is not lawful, for the faithful either to be circumcised, or to offer up to God sacrifices of flesh.' So John, pursuant to the custom of the law, began the celebration of the feast of Easter, on the fourteenth day of the first month, in the evening, not regarding whether the same happened on a Saturday or any other day. But when Peter preached at Rome, being mindful that our Lord arose from the dead, and gave the world the hopes of resurrection, on the first day after the Sabbath, he understood that Easter ought to be observed, so as always to stay till the rising of the moon on the fourteenth day of the first moon, in the evening, according to the custom and precepts of the law, even as John did. And when that came, if the Lord's day, then called the first day after the Sabbath, was the next day, he began that very evening to keep Easter, as we all do at this day. But if the Lord's day did not fall the next morning after the fourteenth moon, but on the sixteenth, or the seventeenth, or any other moon till the twenty-first, he waited for that, and on the Saturday before, in the evening, began to observe the holy solemnity of Easter. Thus it came to pass that Easter Sunday was only kept from the fifteenth moon to the twenty-first. Nor does this evangelical and apostolic tradition abolish the law, but rather fulfil it, the command

being to keep the passover from the fourteenth moon of the first month in the evening to the twenty-first moon of the same month in the evening, which observance all the successors of St. John in Asia, since his death, and all the church throughout the world, have since followed; and that this is the true Easter, and the only one to be kept by the faithful, was not only decreed by the council of Nice, but only confirmed afresh, as the Church History informs us.

"Thus it appears that you, Colman, neither follow the example of John, as you imagine, nor that of Peter, whose traditions you knowingly contradict; and that you neither agree with the law nor the Gospel in the keeping of your Easter. For John, keeping the Paschal time according to the decree of the Mosaic law, had no regard to the first day after the Sabbath, which you do not practice, who celebrate Easter only on the first day after the Sabbath. Peter kept Easter Sunday between the fifteenth and the twenty-first moon, which you do not, but keep Easter Sunday from the fourteenth to the twentieth moon; so that you often begin Easter on the thirteeenth moon in the evening, whereof neither the law made any mention, nor did our Lord, the Author and Giver of the Gospel, on that day, but on the fourteenth, either eat the old passover in the evening, or deliver the sacraments of the New Testament, to be celebrated by the church, in memory of his passion. Besides, in your celebration of Easter, you utterly exclude the twenty-first moon, which the law ordered to be principally observed. Thus, as I said before, you agree neither with John nor Peter, nor with the law, nor the Gospel, in the celebration of the greatest festival."

To this Colman rejoined: "Did Anatolius, a holy man, and much commended in church history, act contrary to the law and the Gospel, when he wrote, that Easter was to be celebrated from the fourteenth to the twentieth? Is it to be believed that our most reverend Father Columba and his successors, men beloved by God, who kept Easter after the same manner, thought or acted contrary to the Divine writings? Whereas there were many among them, whose sanctity is testified by heavenly signs and the working of miracles, whose life customs, and discipline I never cease to follow, not questioning their being saints in heaven."

"It is evident," said Wilfrid, "that Anatolius was a most holy, learned, and commendable man; but what have you to do with him, since you do not observe his decrees? For he, following the rule of truth in his Easter, appointed a revolution of nineteen years, which either you are ignorant of, or if you know it, though it is kept by the

whole church of Christ, yet you despise it. He so computed the fourteenth moon in the Easter of our Lord, that according to the custom of the Egyptians, he acknowledged it to be the fifteenth moon in the evening; so in like manner he assigned the twentieth to Easter-Sunday, as believing that to be the twenty-first moon, when the sun had set, which rule and distinction of his it appears you are ignorant of, in that you sometimes keep Easter before the full of the moon, that is, on the thirteenth day. Concerning your Father Columba and his followers, whose sanctity you say you imitate, and whose rules and precepts you observe, which have been confirmed by signs from heaven, I may answer, that when many, on the day of judgment, shall say to our Lord, 'That in his name they prophesied, and cast out devils, and wrought many wonders,' our Lord will reply, 'That he never knew them.' But far be it from me, that I say so of your fathers, because it is much more just to believe what is good, than what is evil, of persons whom one does not know. Wherefore I do not deny those to be God's servants, and beloved by him, who with rustic simplicity, but pious intentions, have themselves loved him. Nor do I think that such keeping of Easter was very prejudicial to them, as long as none came to show them a more perfect rule; and yet I do believe that they, if any catholic adviser had come among them, would have as readily followed his admonitions, as they are known to have kept those commandments of God, which they had learned and knew.

"But as for you and your companions, you certainly sin, if, having heard the decrees of the Apostolic See, and of the universal church, and that the same is confirmed by holy writ, you refuse to follow them; for, though your fathers were holy, do you think that their small number, in a corner of the remotest islands, is to be preferred before the universal church of Christ throughout the world? And if that Columba of yours, (and, I may say, ours also, if he was Christ's servant,) was a holy man and powerful in miracles, yet could he be preferred before the most blessed prince of the apostles, to whom our Lord said, 'Thou art Peter, and upon this rock I will build my church, and the gates of hell shall not prevail against it, and to thee I will give the keys of the kingdom of heaven?'"

When Wilfrid had spoken thus, the king said, "Is it true, Colman, that these words were spoken to Peter by our Lord?" He answered, "It is true, O king!" Then says he, "Can you show any such power given to your Columba?" Colman answered, "None." Then added the king, "Do you both agree that these words were prin-

cipally directed to Peter, and that the keys of heaven were given to him by our Lord?" They both answered, "We do." Then the king concluded, " And I also say unto you, that he is the door-keeper, whom I will not contradict, but will, so far as I am able, in all things obey his decrees, lest, when I come to the gates of the kingdom of heaven, there shall be none to open them, he being my adversary who is proved to have the keys." The king having said this, all present, both great and small, gave their assent, and renouncing the more imperfect institution, resolved to conform to that which they found to be better.— II, 25.

THE FRANKS

CONVERSION OF CHLODOVECH

496 A. D.

20. THE QUEEN, however, did not cease to pray that he might learn to know the true God and abandon his idols. But in no way should he be persuaded to accept the faith, until he undertook a war against the Alemanni, in which he was forced of necessity to confess what he had formerly denied. Now it happened that the two armies fell upon one another fiercely and the army of Chlodovech began to break up and be overcome, and seeing this, Chlodovech raised his eyes to heaven and stricken to the heart and moved to tears, cried: "Jesus Christ, who catholics declare art the Son of the living God, and who dost deign to aid those in trouble and give victory to those who trust in Thee, I devotedly beseech Thine aid, and I promise that if Thou wilt give me victory over these foes, and I shall prove that might which those baptized in Thy name say they have proved of Thee, I will believe on Thee and will be baptized. For I have called on my gods but they have been far from me; wherefore I believe that those who do not aid their servants, have no power. Now I call upon Thee, I desire to believe in Thee that I may be saved from my foes." And while he was saying this, the Alemanni gave way and began to break into flight, and when they saw their king was slain they yielded to Chlodovech, saying: "Let not thy people punish further, we beseech thee, for we are thine."

And he stopped the battle and restrained his soldiers, and returned in peace, and related to the queen, how he had been able to gain the victory by calling on the name of Christ. This happened in the fifteenth year of his reign.

22. Then the queen secretly sent to St. Remigius, bishop of Rheims, and besought him to instill into the king the word of salvation: so the priest came and began to suggest to him secretly he ought to accept the true God, maker of heaven and earth, and abandon the idols which were not able to help him or any one else, and the king said: "I heed you gladly, most holy father, but there is one difficulty, that the people who follow are not willing to desert their gods: but I will go and speak to them according to your word. But when he appeared before them, even before he spoke, inspired by the favor of God, they all shouted together: "We abjure the mortal gods, oh pious king, and we are ready to follow the God whom Remigius preaches." This was told to the priest, who was filled with great joy, and ordered the baptismal font to be prepared. The streets were shaded with pictured trophies, the churches were adorned with gleaming hangings, the baptistry was set in order, incense was strewn, candles fragrant with odor were burning, and the whole building of the baptistry was filled with divine odor, and the Lord bestowed so much of his grace upon all who were present, that they thought themselves surrounded by the odor of paradise. The king demanded that he should be baptized by the bishop. The new Constantine proceeded to the font, to wash away the disease of the old leprosy and the sordid stains of his old life in the new water, and when he was come up from baptism, the saint of God spoke to him with eloquent words: "Bend thy neck in humility, Licumbrian; worship what thou hast burned, burn what thou hast worshiped," ....And now after the king had made confession of the omnipotent God in the Trinity, he was baptized in the name of the Father, Son, and Holy Ghost, and was anointed with holy ointment in the sign of the cross of Christ, and of his army more than three thousand were baptized.—Gregory of Tours.

THE DONATION OF PIPPIN (756).

While the aforesaid most benign Pippin, king of the Franks, in the course of his siege of Pavia, was pressing on the city, then the most wicked Aistulf, king of the Lombards, in order that Pippin might

release him, promised with every assurance that he would give back the cities which he had refused to return in accordance with the agreement of the treaty. And then, when the former treaty which had been made between them during the past eighth indiction, was confirmed, Aistulf restored the aforesaid cities, adding also a fortress called Comacchio. Of all the cities thus received, Pippin made a gift in writing to St. Peter and to the holy Roman church, and to all the popes of the apostolic see forever; which is kept even to this day in the archives of our holy church.

The most Christian king of the Franks himself sent his counselor, the venerable abbot and presbyter Fulrad, to take over these cities, and having brought this to completion, his excellency returned with his army to France with good fortune.

The aforenamed venerable abbot and presbyter Fulrad, going with the emissaries of the aforesaid Aistulf into the region of Ravenna and proceeding through all of the cities, both of Petapolis and Emilia, took possession of them, and taking hostages from each city and bearing away with him their chief men, together with the keys of the gates of the cities, he betook himself to Rome. ....And depositing these keys, both of the city of Ravenna and of the various cities in the exarchate of Ravenna, together with the above mentioned grant of the cities made by his king in the Confession of St. Peter, he transferred them to this apostle of God and to his vicar, the most holy pope, and to all the popes his successors, to be held and disposed of forever, namely: Ravenna, Rimini, Pesaro, Conca, Fano, Cesena, Sinigaglia, Iesi, Forlimpopoli, Forli with the fortress of Sussibio, Montefeltro, Acerreagio, Monte di Lucano, Serra, the fortress of St. Marinus Bobbio, Urbino, Cagli, Luciolo, Gubbio or Comacchio; and also the city of Narni, which had been taken from the duchy of Spoleto and added to the Roman territory some years before.—Vita Stephani.

DONATION OF KARL THE GREAT

(774.)

But on the fourth day, the aforesaid named pope, proceeding with his chief men, both clerical and secular, to the church of St. Peter the apostle, and meeting there with the king for the purpose of conferring with him, earnestly besought and admonished and exhorted him with fatherly love to carry out in full that promise which his father Pippin

of blessed memory, the former king, and the most excellent Charles himself, with his brother Carloman, and all the chief men of the Franks had made to St. Peter and to his vicar, the lord pope Stephen II., of blessed memory, when he went to France; namely, that certain cities and territories of that province of Italy should be granted and given over to St. Peter and to all his vicars to be held by them forever. And when he had caused this promise, which was made in France at the place called Crecy, to be read over to him, all that it contained was satisfactory to him and to his chief men. And of his own desire, with a good and willing mind, the aforesaid most excellent and truly most Christian Charles, king of the Franks, commanded that a second grant of this gift be drawn up by Etherius, a monk, and his most learned chaplain and notary; in which he granted to St. Peter those cities and territories and promised that they should be handed over to the aforesaid pope according to the description of the boundaries, just as is known to be contained in this donation; namely, from Luni, with the island of Corsica, thence to Suriano, thence to Apennines, that is, to Berceto, thence to Panna, thence to Reggio: and from thence to Mantua and Montelise, and likewise the whole exarchate of Ravenna, as it existed of old, and the provinces of Venice and Istua. When this donation was drawn up the most Christian king of the Franks himself signed it and caused all the bishops, abbots, dukes and counts to put their signatures to it; then the king himself and his chief men, first laying the gift on the altar of St. Peter and then within his holy Confession, made it over to St. Peter and his most holy vicar, Pope Hadrian, binding themselves under terrible oath to observe everything contained in that grant. Then causing the same Etherius to draw up a copy of this donation, the most Christian king of the Franks himself, with his own hands, placed it within upon the body of St. Peter under the gospels which are kissed there, for the most absolute security and for the eternal remembrance of his name, and the name of the Frankish kingdom. His excellency also took away with him other copies of the same grant which were made in the office of the secretary of this our holy Roman church.—Vita Hadriani.

CORONATION OF KARL THE GREAT

800 A. D.

After this when the birthday of our Lord, Jesus Christ, was

come, all were gathered together in the aforesaid church of St. Peter the apostle, and then the kindly and venerable pope crowned him with the precious crown with his own hands. Then all the loyal Romans, for the Church and its vicar, all lifting up their voices in answer to the command of God and St. Peter, the keeper of the keys of the kingdom of heaven, shouted together: "To the most pious Charles Augustus, crowned of God, the mighty and peace-giving emperor, life and victory." And calling upon many saints before the Confession of St. Peter the apostle, this was said three times, and he was made emperor of the Romans by all. Then the most holy bishop and pope anointed Charles and his most excellent son the king, with the holy oil, on the very day of the birth of our Lord, Jesus Christ.

PALACE SCHOOL OF KARL THE GREAT

1. After the omnipotent disposer of kings and ordainer of kingdoms and times had broken in pieces the feet of iron and clay in that marvelous image, in the person of the Romans, he raised up the golden head of that second no less wonderful image through the illustrious Charles, in the person of the Franks. Now, when he began to rule alone in the western world, and the pursuit of letters was almost entirely forgotten everywhere, it happened that there came to the shores of Gaul with British merchants two men of Ireland, learned beyond compare both in secular studies and in the holy Scriptures. Now, although these men displayed nothing for sale, they were wont to call out daily to the crowds who came to buy: "If anyone is eager for knowledge, let him come to us and get it, for we have it here for sale." They professed to have it to sell, because they saw that the people were buying not free things, but things with a price; that they might induce them to purchase wisdom as they purchased other things, and that they might by such proclamation excite their wonder and astonishment, as events proved. Finally, after this had been proclaimed by them for some time, it came, through those who marveled or who judged the men insane, to the ears of King Charles, always a lover of learning and most desirous of it. So when he had summoned them to his presence he asked them if they truly had wisdom with them, as he had heard by report. They replied, "We have it indeed, and are ready to give it to those seeking it worthily in the name of God." And when he had inquired, what they asked for it, they said:

"Only suitable places, and open minds, and that without which the mission cannot be carried on: namely, food and wherewith we may be clothed." Now, when Charles heard this, he was filled with great joy, but at first for a little time he kept them with himself. But later when he was forced to go on his warring expeditions, he commanded one of them, Clement by name, to remain in Gaul, and sent to him their youths of most noble, and of middle, and of lowest ranks; and that they might have necessary provision, he ordered that they be furnished with food, and that suitable dwelling be provided for their habitation. The other he sent to Italy and appointed to him the monastery of St. Augustine near Ticino, that those who wished might be able to meet there with him to be taught.

2. Now Alquin, of the people of the English, having heard how graciously Charles, the most pious of kings, received men of learning, came across the sea to him. This man was skilled in all the knowledge of the Scriptures beyond all men of recent times, having been a disciple of the most learned Bede, the greatest writer since St. Gregory. This Alquin, Charles kept with him constantly till the end of his life, save when he was occupied with violent wars, so much so that he (Charles) desired to be called the pupil, and the other the master. He gave him also the abbey of St. Martin near Tours, that he might rest there when Charles was absent, and might teach those who sought him there. The teaching of this man brought forth such fruit, that the Gauls or Franks of that time were equal to the ancient Romans and Athenians.

3. Now after the most victorious Charles had returned to Gaul after a long time, he commanded those youths whom he had sent to Clement to come to him and show him their letters and their poems. And the youths of middle and lowest ranks displayed their work decorated with the marks of learning beyond all expectation, but the noble youths showed themselves indifferent in their great folly. Then the most learned Charles, imitating the justice of the Eternal Judge, addressed the well-doers, separated on his right hand, in these words: "Many thanks to you, sons, since you have been zealous to follow as far as possible my command and your own advantage. Now, therefore, strive to attain perfection, and I will give you great bishoprics and monasteries, and you will always be honorable in my eyes." Then turning with great reproach to those on his left, and striking terror to their hearts with his angry glance, in irony he hurled these terrible words at them, thundering rather than speaking: "You noble youths, you sons of princes, you delicate and dainty children, trusting in your

birth and riches, and ignoring my command and your own glory in the study of letters, you have indulged yourselves in luxury, in sport and idleness, and vane pursuits." And when he had said this, raising his august head and his unconquered right hand to heaven, he thundered at them his accustomed oath: "By the King of Heaven, I do not hold of great account your nobility and your beauty, though others may marvel at you. And know this for certain, unless you quickly make up for your former negligence by vigilant study, you will never get anything good at the hand of Charles."

4. He took from the aforesaid poor youths one who was an excellent composer and copyist into his chapel (*Capelle*), by which name the kings were accustomed to call their holy places, because of the cloak (*coppa*) of St. Martin, which they bore with them in war for the protection of their own forces and the destruction of the enemy.

TREATY OF VERDUN

843 A. D.

Charles proceeded nearly to Verdun to meet his brothers in conference; by the distribution of the portions there Louis obtained all east of the Rhine, and west of the Rhine the cities of Speier, Worms and Mainz, and their districts; Lothar, the country between the Rhine and a line drawn from the mouth of the Scheldt south through Cambria and Hainault, to where the Saône joins the Rhone, and along the Rhone to the sea, with the counties lying on both sides; the rest of the country clear to Spain they gave to Charles; then when the oaths were taken they departed each his own way.

TRANSLATIONS OF E. H. MC NEAL.

ANGLO-SAXON LAWS AND CUSTOMS

Vocabulary

after-gild, after-payment.
aewda, oath-giver, compurgator.
aldor, *cf.* ealdor.
ambiht-smith, smith or carpenter.
angylde, price fixed by law.
ath, oath; fore-ath, preliminary oath; rim-ath, oath taken by accused and compurgators together.

birele, cup-bearer.
blot, sacrifice or offering to idols.
boc-land, land held by charter.
bold-gaetal, lord's estate (?).
borh, surety; borh-bryce, breach of surety.
bot, compensation.
bryce, breach, violation.
brygc, bryc, bric, bridge.
burh, castle or dwelling.
byth-fytling, fillings of the butts (meaning uncertain).

can, canne, clearance, averment.
ceap, bargain; ceap-gild, sale's price.
ceorl, churl, simple freeman.
cyne, kin; cyne-bot, cyne-gild, part of the fine for killing the king which went to the folk as compensation.
drihtin-beah, lord-ring, lord's compensation.
drinc-lean, payment due from tenant to lord for ale.

ealdor,
ealdorman, chief, governor of a province.
edor, homestead, farmhouse.
eorl, noble.
esne, serf. *cf.* theow.

faehth, feud.
fah, foe.
fare, go.
feax-fang, seizing by the hair.
feoh, fioh, money, payment.
feorm, firma, farm, rent in kind paid by tenants.
flet, house, home.
flyma, runaway, fugitive; flyman-fyrmth, harbouring a fugitive.
folc-land, common land, held by the folk or nation.
foresteal, an assault.
forespeca, forespreca, advocate.
foster-lean, remuneration for rearing a child.
frith, peace.
frum-gyld, first payment of "wer".
frum-tyhtle, first accusation.

ful, unconsecrated ground.
fyrd, army, general levy.

gaeng-gang, pregnant (?).
gafol, rent. gafol-land, rent-land.
gemot, meeting, court.
geneat, a servile tenant.
gild, guild, club.
grith, peace, protection.

had-bot, compensation for injury, to a person in holy orders.
ham-scyld, shoulder-blade (?).
heals-fang, pillory.
hearm, hue and cry.
heorth-faest, having a fixed dwelling.
hion, membrane, covering.
hlaf-aeta, loaf-eater, servant.
hlaford, lord; hlafordes-gifu, gift to lord, a form of rent.
hloth, a following, any number of men from 8 to 35.
hold, lord, noble.
homola, one whose head has been shaved (?).
hordere, treasurer.
hynden, an association of ten men (?).

in-borh, security, pledge.
inland, demesne land, lord's land.
laad-ring, guide, avant-courier.
lad, purgation, exculpation; also, a form of service consisting in supplying the lord with beasts of burden.
laet, half-free, a class between slaves and freemen.
lah-slit, fine for offences committed by Danes, corresponding to Anglo-Saxon 'wite,' *q. v.*
land-rica, land-hlaford, lord of the soil, landlord.
land-ceap, land-cop, purchase of land.
leod, man; people; leod-geld, leud-geld, wergeld, fine paid for killing a man.
liblac, lyblac, witchcraft.
lyswe, leaswe, injury of some kind (uncertain).

maeg-burh, kindred, kin; maeg-bot, compensation paid to family.
maerra, maere peningas, (money of some kind).
mancus, =30 pennies.
manung, district over which reeve has jurisdiction.
man-wyrth, wergeld, *cf.* leod-geld.
methel, council, meeting.
morgen-gifu, morning-gift, gift from husband to wife on the morning after marriage.
morth, murder.
mund, mund-byrd, protection, guardianship.
mynster, minster, monastery; mynster-ham, dwelling house of monastery (?).

oferhyrnes, contempt; disobedience; also, penalty attached thereto.
ora, =16 pennies.
orwige, outlawed.

reaflac, robbery.

reeve, gerefa, official, esp. sheriff.
Rom-feoh, Peter's pence.

sac, right of a lord to private jurisdiction.
sceat, scaet, 4 sceats=1 penny.
scip, ship.
sithcund, gesithcund, belonging to king's followers.
socn, sanctuary, right of protection.
[stauela, settle, bench.
stermelda, court-officer (uncertain).
syxhynde man, one whose wergeld was 600 shillings.

thegn, knight, noble.
theow, slave.
thrymsas, =3 pennies of Mercian money.
tiht-bysig, of bad repute.
tihtle, accusation; furm-tihtle, first accusation; wither tihtle, cross-action.
tun, villa, dwelling, town.
twelf-hynde man, one whose wergeld was 1200 shillings.
twy-hynde man, one whose wergeld was 200 shillings, lowest class of freemen.

utware, (uncertain,) perhaps a form of tenure.

walreaf, despoiling the dead.
Wealh, Wylisc, British, Welsh.
wed, pledge, security.
wer, wergild, *cf.* leod-geld.
wic, town.
wita, member of supreme council.
wite, fine.

THE LAWS OF KING AETHELBIRHT

KENT 560-616

These are the dooms which King Aethelbirht established in the days of Augustine.

Of church-'frith.'

1. The property of God and of the church, twelve-fold; a bishop's property, eleven-fold; a priest's property, nine-fold; a deacon's property, six-fold; a clerk's property, three-fold; 'church-frith,' two-fold; 'm.....frith,' two-fold.

2. If the king calls his 'leod' to him, and any one there do them evil, (let him compensate with) a two-fold 'bot,' and L. shillings to the king.

3. If the king drink at any one's home, and any one there do any 'lyswe,' let him make two-fold 'bot.'

4. If a freeman steal from the king, let him pay nine-fold.

5. If a man slay another in the king's 'tun,' let him make 'bot' with L. shillings.

6. If any one slay a freeman, L. shillings to the king, as 'drihtinbeah.'

7. If the king's 'ambiht-smith,' or 'laad-rinc,' slay a man, let him pay a half 'leod-geld.'

8. The king's 'mund-byrd,' L. shillings.

9. If a freeman steal from a freeman, let him make three-fold 'bot;' and let the king have the 'wite' and all the chattels.

10. If a man lie with the king's maiden, let him pay a 'bot' of L. shillings.

11. If she be a grinding slave, let him pay a 'bot' of XXV. shillings. The third [class] XII. shillings.

12. Let the king's 'fed-esl' be paid for with XX. shillings.

13. If a man slay another in an 'eorl's' 'tun,' let him make 'bot' with XII. shillings.

14. If a man lie with an 'eorl's' 'birele,' let him make 'bot' with XII. shillings.

15. A 'ceorl's' 'mund-byrd,' VII. shillings.

16. If a man lie with a 'ceorl's' 'birele,' let him make 'bot' with VI. shillings; with a slave of the second [class], L. 'scaetts;' with one of the third, XXX. 'scaetts.'

17. If any one be the first to make an inroad into a man's 'tun,' let him make 'bot' with VI. shillings; let him who follows, with III. shillings; after, each, a shilling.

18. If a man furnish weapons to another where there is strife, though no evil be done, let him make 'bot' with VI. shillings.

19. If 'weg-reaf' be done, let him make 'bot' with VI. shillings.

20. If the man be slain, let him make 'bot' with XX. shillings.

21. If a man slay another, let him make 'bot' with a half 'leod-geld' of C. shillings.

31. If a freeman lie with a freeman's wife, let him pay for it with his 'wer-geld,' and provide another wife with his own money, and bring her to the other.

32. If any one thrust through the 'riht ham-scyld,' let him adequately compensate.

33. If there be a 'feax-fang,' let there be L. sceatts for 'bot.'

34. If there be an exposure of the bone, let 'bot' be made with III. shillings.

35. If there be an injury of the bone, let 'bot' be made with IV. shillings.

36. If the outer 'hion' be broken, let 'bot' be made with X. shillings.

37. If it be both, let 'bot' be made with XX. shillings.

38. If a shoulder be lamed, let 'bot' be made with XXX. shillings.

39. If an ear be struck off, let 'bot' be made with XII. shillings.

40. If the other ear hear not, let 'bot' be made with XXV. shillings.

41. If an ear be pierced, let 'bot' be made with III. shillings.

42. If an ear be mutilated, let 'bot' be made with VI. shillings.

43. If an eye be [struck] out, let 'bot' be made with L. shillings.

44. If the mouth or an eye be injured, let 'bot' be made with XII. shillings.

45. If the nose be pierced, let 'bot' be made with IX. shillings.

46. If it be one 'ala,' let 'bot' be made with III. shillings.

47. If both be pierced, let 'bot' be made with VI. shillings.

48. If the nose be otherwise mutilated, for each let 'bot' be made with VI. shillings.

49. If it be pierced, let 'bot' be made with VI. shillings.

50. Let him who breaks the chin-bone pay for it with XX. shillings.

51. For each of the four front teeth, VI. shillings; for the tooth which stands next to them IV. shillings; for that which stands next to that, III. shillings; and then afterwards, for each a shilling.

52. If the speech be injured, XII. shillings. If the collar-bone be broken, let 'bot' be made with VI. shillings.

53. Let him who stabs [another] through an arm, make 'bot' with VI. shillings.

54. If a thumb be struck off, XX. shillings. If a thumb nail be off, let 'bot' be made with III. shillings. If the shooting (i. e. fore) finger be struck off, let 'bot' be made with VIII. shillings. If the middle finger be struck off, let 'bot' be made with IV. shillings. If the gold (i. e. ring) finger be struck off, let 'bot' be made with VI. shillings. If the little finger be struck off, let 'bot' be made with XI. shillings.

55. For every nail, a shilling.

56. For the smallest disfigurement of the face, III. shillings; and for the greater, VI. shillings.

57. If any one strike another with his fist on the nose, III. shillings.

58. If there be a bruise, a shilling; if he receive a right hand bruise, let him [the striker] pay a shilling.

58. If the bruise be black in a part not covered by the clothes, let 'bot' be made with XXX. 'scaetts.'

60. If it be covered by the clothes, let 'bot' for each be made with XX. 'scaetts.'

61. If the belly be wounded, let 'bot' be made with XII. shillings; if it be pierced through, let 'bot' be made with XX. shillings.

62. If any one be 'gegemed,' let 'bot' be made with XXX. shillings.

63. If any one be 'cear-wund,' let 'bot' be made with III. shillings.

64. If any one destroy [another's] organ of generation, let him pay with III. 'leud-gelds;' if he pierce it through, let him make 'bot' with VI. shillings; if it be pierced within, let him make 'bot' with VI. shillings.

65. If a thigh be broken, let 'bot' be made with XII. shillings; if the man become halt, then the friends must arbitrate.

66. If a rib be broken, let 'bot' be made with III. shillings.

67. If a thigh be pierced through, for each stab VI. shillings; if (the wound be) above an inch, a shilling; for two inches, II.; above three, III. shillings.

68. If a sinew be wounded, let 'bot' be made with III. shillings.

69. If a foot be cut off, let L. shillings be paid.

70. If a great toe be cut off, let X. shillings be paid.

71. For each of the other toes, let one-half be paid, like as it is stated for the fingers.

72. If the nail of a great toe be cut off, XXX. 'scaetts' for 'bot;' for each of the others, make 'bot' with X. 'scaetts.'

77. If a man buy a maiden with cattle, let the bargain stand, if it be without guile; but if there be guile, let him bring her home again, and let his property be restored to him.

78. If she bear a live child, let her have half the property, if the husband die first.

79. If she wish to go away with her children, let her have half the property.

80. If the husband wish to have them, [let her portion be] as one child.

81. If she bear no child, let her paternal kindred have the 'fioh' and the 'morgen-gyfu.'

82. If a man carry off a maiden by force, let him pay L. shillings to the owner, and afterwards buy [the object of] his will of the owner.

83. If she be betrothed to another in money, let him make 'bot' with XX. shillings.

84. If she become 'gaengang,' XXXV. shillings; and XV. shillings to the king.

85. If a man lie with an 'esne's' wife, her husband still living, let him make two-fold 'bot.'

THE LAWS OF KINGS HLOTHHAERE AND EADRIC

These are the dooms which Hlothhaere and Eadric, Kings of the Kentishmen, Established. 673-686.

Hlothhaere and Eadric, kings of the Kentish-men, augmented the laws, which their elders had before made, by these dooms, which hereafter say:

1. If any one's 'esne' slay a man of an 'eorle's' degree, whoever it be, let the owner pay with three hundred shillings, give up the slayer, and add three 'man-wyrths' thereto.

2. If the slayer escape, let him add a fourth 'man-wyrth,' and let him prove, with good 'aewdas,' that he could not obtain the slayer.

3. If any one's 'esne' slay a freeman, whoever it be, let the owner pay with a hundred shillings, give up the slayer, and a second 'man-wyrth' thereto.

4. If the slayer escape, let the owner pay for him with two 'man-wyrths'; and let him prove, with good 'aewdas,' that he could not obtain the slayer.

5. If a freeman steal a man; if the man return, and denounce him before the 'stermelda;' let him clear himself, if he be able, and let him have the number of free 'aewda'-men, and one with (himself) in the oath, each at the 'tun' to which he belongs; if he be unable, let him pay.

16. If any Kentish-man buy a chattel in 'Lunden-wic,' let him then have two or three true men to witness, or the king's 'wic'-reeve. If it be afterwards claimed of the man in Kent, let him then vouch the man who sold it to him to warranty, in the 'wic' at the king's hall, if he know him, and can bring him to the warranty; if he can not do that, let him prove at the altar, with one of his witnesses or with the king's 'wic'-reeve, that he bought the chattel openly in the 'wic,' with his own property, and then let him be paid its worth; but if he can not prove that by

lawful averment, let him give it up, and let the owner take possession of it.

THE LAWS OF KING WIHTRAED

These are the Dooms of Wihtraed, King of the Kentish-Men. 690-725.

In the reign of the most clement king of the Kentish-men, Wihtraed, in the fifth year of his reign, the ninth indiction, the sixth day of Rugern, in the place which is called Bergham-styde, where was assembled a deliberative convention of the great men, there was Birhtwald, arch-bishop of Britain, and the fore-named king; also the bishop of Rochester, the same was called Gybmund, was present; and every degree of the church of that province spoke in unison with the obedient people. There the great men decreed, with the suffrages of all, these dooms, and added them to the lawful customs of the Kentish-men, as it hereafter saith and declareth.

16. Let the word of a bishop and of the king be, without an oath, incontrovertible.

17. Let the 'aldor' of a 'minster' clear himself with a priest's 'canne.'

18. Let a priest clear himself by his own sooth, in his holy garment before the altar, thus saying: 'Veritatem dico in Christo, non mentior.' In like manner, let a deacon clear himself.

19. Let a clerk clear himself with four of his fellows, and he alone with his hand on the altar, let the others stand by, make the oath.

20. Let a stranger [clear himself] with his own oath at the altar; in like manner, a king's thane.

21. Let a 'ceorlish' man clear himself with four of his fellows at the altar; and let the oath of all these be incontrovertible; then is the church 'canne' right.

THE LAWS OF KING ALFRED.

871-901.

The Lord spake these words to Moses, and thus said: I am the Lord thy God. I led thee out of the land of the Egyptians, and of their bondage.

Of oaths and of 'weds.'

1. At the first we teach, that it is most needful that every man warily keep his oath and his 'wed.' If any one be constrained to either

of these wrongfully, either to treason against his lord, or to any unlawful aid; then it is juster to belie than to fulfil. But if he pledge himself to that which it is lawful to fulfil, and in that belie himself, let him submissively deliver up his weapon and his goods to the keeping of his friends, and be in prison forty days in a king's 'tun;' let him there suffer whatever the bishop may prescribe to him; and let his kinsmen feed him, if he himself have no food. If he have no kinsmen, or have no food, let the king's reeve feed him. If he must be forced to this, and he otherwise will not, if they bind him, let him forfeit his weapons and his property. If he be slain, let him lie uncompensated. If he flee thereout before the time, and he be taken, let him be in prison forty days, as he should before have been. But if he escape, let him be held a fugitive, and be excommunicate of all Christ's churches. If, however, there be another man's 'borh,' let him make 'bot' for the 'borh-bryce,' as the law may direct him, and the 'wed-bryce,' as his confessor may prescribe to him.

Of church-'socns.'

2. If any one, for whatever crime, seek any of the 'mynsterhams' to which the king's 'feorm' is incident, or other 'free-hired' which is worthy of reverence, let him have a space of three days to protect himself, unless he be willing to come to terms. If during this space, any one harm him by blow, or by bond, or wound him, let him make 'bot' for each of these according to regular usage, as well with 'wer' as with 'wite:' and to the brotherhood one hundred and twenty shillings, as 'bot' for the church-'firth:' and let him not have 'forfongen' his own.

Of 'borh-bryce.'

3. If any one break the king's 'borh,' let him make 'bot' for the plaint, as the law shall direct him; and for the 'borh-bryce' with V. pounds of 'maerra' pence. For an archbishop's 'borh-bryce,' or his 'mund-byrd,' let him make 'bot' with three pounds: for any other bishop's or an 'earldorman's' 'borh-bryce,' or 'mund-byrd,' let him make 'bot' with two pounds.

Of plotting against a lord.

4. If any one plot against the king's life, of himself, or by harbouring of exiles, or of his men; let him be liable in his life and in all that he has; or let him prove himself according to his lord's 'wer.'

Of church-'frith.'

5. We also ordain to every church which has been hallowed by a bishop, this 'frith:' if a 'fah-man' flee to or reach one, that for seven days no one drag him out. But if anyone do so, let him be liable in the

king's 'mund-byrd' and the church-'frith;' more if he there commit more wrong, if, despite of hunger, he can live; unless he fight his way out. If the brethren have further need of their church, let them keep him in another house, and let not that have more doors than the church. Let the church-'ealdor' take care that during this term no one give him food. If he himself be willing to deliver up his weapons to his foes, let them keep him XXX. days, and then let them give notice of him to his kinsmen. It is also church-'frith:' if any man seek a church for any of those offences, which had not been before revealed, and there confess himself in God's name, be it half forgiven. He who steals on Sunday, or at Yule, or at Easter, or on Holy Thursday, and on Rogation days; for each of these we will that the 'bot' be two-fold, as during Lent-fast.

Of stealing in a church.

6. If any one thieve aught in a church, let him pay the 'angylde,' and the 'wite,' such as shall belong to the 'angylde;' and let the hand be struck off with which he did it. If he will redeem the hand, and that be allowed him, let him pay as may belong to his 'wer.'

In case a man fight in the king's hall.

7. If any one fight in the king's hall, or draw his weapon, and he be taken; be it in the king's doom, either death, or life, as he may be willing to grant him. If he escape, and be taken again, let him pay for himself according to his 'wer-gild,' and make 'bot' for the offence, as well 'wer' as 'wite,' according as he may have wrought.

Of fornication with a nun.

8. If any one carry off a nun from a minster, without the king's or the bishop's leave, let him pay a hundred and twenty shillings, half to the king, half to the bishop and to the church-'hlaford' who owns the nun. If she live longer than he who carried her off, let her not have aught of his property. If she bear a child, let not that have of the property more than the mother. If any one slay her child, let him pay to the king the maternal kindred's share; to the paternal kindred let their share be given.

Of those men who lend their weapons for man-slaying.

19. If any one lend his weapon to another that he may kill some one therewith, they may join together if they will in the 'wer.' If they will not join together, let him who lent the weapon pay of the 'wer' a third part, and of the 'wite' a third part. If he be willing to justify himself, that he knew of no ill-design in the loan; that he may do. If a sword-polisher receive another man's weapon to furbish, or a smith a man's material, let them both return it sound as either of them may

have before received it: unless either of them had before agreed that he should not hold it 'angylde.'

Of confession of debt.

22. If any one at the folk-mote make declaration of a debt, and afterwards wish to withdraw it, let him charge it on a righter person, if he can; if he cannot, let him forfeit his 'angylde.' [and take possession of the 'wite'].

Of kinless men.

27. If a man, kinless of paternal relatives, fight, and slay a man, and then if he have maternal relatives, let them pay a third of the 'wer;' his guild-brethren a third part; for a third let him flee. If he have no maternal relatives, let his guild-brethren pay half, for half let him flee.

Of slaying a man thus circumstanced.

28. If a man kill a man thus circumstanced, if he have no relatives, let half be paid to the king; half to his guild-brethren.

Of 'hloth'-slaying of a 'twy-hynde' man.

29. If any one with a 'hloth' slay an unoffending 'twy-hynde' man, let him who acknowledges the death-blow pay 'wer' and 'wite;' and let every one who was of the party pay XXX. shillings as 'bloth-bot.'

Of a six-'hinde' man.

30. If it be a six-'hynde' man, let every man pay LX. shillings as 'hloth-bot;' and the slayer, 'wer' and full 'wite.'

Of a twelve-'hynde' man.

31. If he be a twelve-'hynde' man, let each of them pay one hundred and twenty shillings; and the slayer, 'wer' and 'wite.' If a 'hloth' do this, and afterwards will deny it on oath, let them all be accused, and let them then all pay the 'wer' in common; and all, one 'wite,' such as shall belong to the 'wer.'

Of those who commit 'folk-leasing.'

32. If a man commit 'folk-leasing,' and it be fixed upon him, with no lighter thing let him make 'bot' than that his tongue be cut out; which must not be redeemed at any cheaper rate than it is estimated at according to his 'wer.'

Of a 'bold-getael.'

37. If a man from one 'bold-getael' wish to seek a lord in another 'bold-getael,' let him do it with the knowledge of the 'ealdorman' whom he before followed in his shire. If he do it without his knowledge, let him who entertains him as his man pay CXX. shillings as 'wite;' let him, however, deal the half to the king in the shire where he before followed, half in that into which he comes. If he has done anything

wrong where he before was, let him make 'bot' for it who has then received him as his man; and to the king CXX. shillings as 'wite.'

In case a man fight before an 'ealdorman' in the 'gemot.'

38. If a man fight before a king's 'ealdorman' in the 'gemot,' let him make 'bot' with 'wer' and 'wite,' as it may be right; and before this, CXX. shillings to the 'ealdorman' as 'wite.' If he disturb the folk-mote by drawing his weapon, one hundred and twenty shillings to the 'ealdorman' as 'wite.' If aught of this happen before a king's 'ealdorman's' junior, or a king's priest, XXX. shillings as 'wite.'

Of fighting in a 'ceorlish' man's 'flet.'

39. If any one fight in a 'ceorlish' man's 'flet,' with six shillings let him make 'bot' to the 'ceorl.' If he draw his weapon and fight not, let it be half of that. If, however, either of these happen to a six-'hynde' man, let it increase threefoldly, according to the 'ceorlish' 'bot' to a twelve-'hynde' man, twofoldly, according to the six-'hynde's' 'bot.'

Of 'burh-bryce.'

40. The king's 'burh-bryce' shall be CXX. shillings. An archbishop's, ninety shillings. Any other bishop's, and an 'ealdorman's,' LX. shillings. A twelve-'hynde' man's, XXX. shillings. A six-'hynde' man's, XV. shillings. A 'ceorl's edor-bryce,' V. shillings. If aught of this happen when the 'fyrd' is out, or in Lent fast, let the 'bot' be twofold. If any one in Lent put down holy law among the people without leave, let him make 'bot' with CXX. shillings.

Of 'boc-lands.'

41. The man who has 'boc-land,' and which his kindred left him, then ordain we that he must not give it from his 'maeg-burg,' if there be writing or witness that it was forbidden by those men who at first acquired it, and by those who gave it to him, that he should do so; and then let that be declared in the presence of the king and of the bishop, before his kinsmen.

Of feuds.

42. We also command: that the man who knows his foe be home-sitting fight not before he demand justice of him. If he have such power that he can beset his foe, and besiege him within, let him keep him within for VII. days, and attack him not, if he will remain within. And, then, after VII. days, if he will surrender, and deliver up his weapons, let him be kept safe for XXX. days, and let notice of him be given to his kinsmen and his friends. If, however, he flee to a church, then let it be according to the sanctity of the church; as we have before said above. But if he have not sufficient power to besiege him within,

let him ride to the 'ealdorman,' and beg aid of him. If he will not aid him, let him ride to the king before he fights. In like manner also, if a man come upon his foe, and he did not before know him to be home-staying; if he be willing to deliver up his weapons, let him be kept for XXX. days, and let notice of him be given to his friends; if he will not deliver up his weapons, then he may attack him. If he be willing to surrender, and to deliver up his weapons, and any one after that attack him, let him pay as well 'wer' as wound, as he may do, and 'wite,' and let him have forfeited his 'maeg'-ship. We also declare, that with his lord a man may fight 'orwige,' if any one attack the lord: thus may the lord fight for his man. After the same wise, a man may fight with his born kinsman, if a man attack him wrongfully, except against his lord; that we do not allow. And a man may fight 'orwige,' if he find another with his lawful wife, within closed doors, or under one covering, or with his lawfully-born daughter, or with his lawfully-born sister, or with his mother, who was given to his father as his lawful wife.

Of the celebration of mass-days.

43. To all freemen let these days be given, but not to 'theow'-men and 'esne'-workmen: XII. days at Yule, and the day on which Christ overcame the devil, and the commemoration day of St. Gregory, and VII. days before Easter and VII. days after, and one day at St. Peter's tide and St. Paul's, and in harvest the whole week before St. Mary-mass, and one day at the celebration of All-Hallows and the IV. Wednesdays in the IV. Ember weeks. To all 'theow'-men be given, to those whom it may be most desirable to give, whatever any man shall give them in God's name, or they at any of their moments may deserve.

THE LAWS OF KING EDWARD

901-924

Of doom and suit.

King Edward commands all the reeves: that ye judge such just dooms as ye know to be most righteous, and as in the doom-book stands. Fear not on any account to pronounce folk-right; and that every suit have a term when it shall be brought forward, that ye then may pronounce.

Of buying.

1. And I will that every man have his warrantor; and that no man buy out of port, but have the port-reeve's witness, or that of other

unlying men whom one may believe. And if any one buy out of port, then let him incur the king's 'oferhyrnes,' and let the warranty nevertheless go forward, until it be known where it shall stop. Also we have ordained: that he who should vouch to warranty should have unlying witness to the effect that he rightfully vouched it; or should bring forward an oath which he might believe who made the claim. So we have ordained the same respecting ownership; that he should adduce unlying witness thereof, or bring forward the oath, if he could, of persons unchosen, by which the claimant should be bound. But if he could not, then should be named to him six men of the same neighbourhood wherein he was resident, and of the six let him get one for one ox, or for that cattle which may be the worth of this, and afterward let it increase, according to the value of the property, if there ought to be more. Also we have ordained: if there were any evil-minded man who would put another's property in 'borh' for 'wither-tihtle,' that he should then declare on oath that he did not 'from any knavery, but with full right, without fraud and guile,' and that he then should there do as he durst with whom it is attached: 'like as he it owned, so be it vouched to warranty.'

Of him who denies justice to another.

2. Also we have ordained of what he were worthy who denied justice to another, either in 'boc-land' or in 'folc-land,' and that he should give him a term respecting the 'folc-land' when he should do him justice before the reeve. But if he had no right either to the 'boc-land' or to the 'folc-land,' that he who denied the right should be liable in XXX. shillings to the king; and for the second offense, the like: for the third offense, the king's 'oferhyrnes,' that is, CXX. shillings, unless he previously desist.

Of perjurers.

3. Also we have ordained concerning those men who were perjurers; if that were made evident, or an oath failed to them, or were out-proved, that they afterwards should not be oath-worthy, but ordeal-worthy.

Of 'frith.'

4. King Edward exhorted his 'witan' when they were at Exeter, that they should all search out how their 'frith' might be better than it had previously been: for it seemed to him that it was more indifferently observed than it should be, what he had formerly commanded. He then asked them, who would apply to its amendment, and be in that fellowship that he was, and love that which he loved, and shun

that which he shunned, both on sea and land? That is, then, that no man deny justice to another: if any one do so, let him make 'bot' as it before is written; for the first offence, with XXX. shillings; and for the second offense, the like; and for the third, with CXX. shillings to the king.

Of the reeve who does not lawfully exact.

5. And if the reeve do not lawfully exact it, with the witness of those men who are assigned him to bear witness, then let him make 'bot' of my 'oferhyrnes,' with CXX. shillings.

Of those accused of theft.

6. If any one be accused of theft, then let those take him in 'borh' who before commended him to his lord, that he may justify himself thereof; or let other friends, if they have any, do the same. If he knows not who will take him in 'borh,' then let those on whom it is incumbent take an 'in-borh' on his property. If he have neither property nor other 'borh,' then let him be held to judgment.

Of those who will not seek their own.

7. Also I will that every man have constantly those men ready on his land, who may lead those men who desire to seek their own, and for no meed-monies prevent them, nor anywhere protect or harbour a convicted offender, willfully nor violently.

Of those who protect a convicted offender.

8. If any one disregard this, and break his oath and his 'wed,' which all the nation has given, let him make 'bot' as the doom-book may teach: but if he will not, let him forfeit the friendship of us all, and all that he has. If any one harbour him after that, let him make 'bot' as the doom-book may say, and as he ought who harbours a fugutive, if it be here within. If it be within the east-country, let him make 'bot' according as the 'frith-gewrîtu' say.

Of him who forfeits his freedom.

9. If any one, through a charge of theft, forfeit his freedom, and deliver himself up, and his kindred forsake him, and he know not who shall make 'bot' for him; let him then be worthy of the 'theow'-work which thereto belongs, and let the 'wer' abate for the kindred.

Of him who receives another man's man without leave.

10. Let no man receive another man's man without his leave whom he before followed, and until he be blameless towards every hand. If any one do so, let him make 'bot' of my 'oferhyrnes.'

Of 'gemot'-terms.

11. I will that each reeve have a 'gemot' always once in four

weeks; and so do that every man be worthy of folk-right: and that every suit have an end and a term when it shall be brought forward. If that any one disregard, let him make 'bot' as we before ordained.

AGAIN HIS, AND GUTHRUM'S, AND EDWARD'S

These are the dooms which king Alfred and king Guthrum chose.

And this is the ordinance also which king Alfred and king Guthrum, and afterwards king Edward and king Guthrum, chose and ordained, when the English and Danes fully took to peace and to friendship; and the 'witan' also, who were afterwards, oft and unseldom that same renewed and increased with good.

This is the first which they ordained: that they would love one God, and zealously renounce every kind of heathendom. And they established worldly rules also for these reasons, that they knew that else they might not many control, nor would many men else submit to divine 'bot' as they should: and the worldly 'bot' they established in common to Christ and the king, wheresoever a man would not lawfully submit to divine 'bot,' by direction of the bishops.

1. And this then is the first which they ordained: that church-grith within the walls, and the king's 'hand-grith,' stand equally inviolate.

2. If any one violate Christianity, or reverence heathenism, by word or by work, let him pay as well 'wer,' as 'wite' or 'lah-slit,' according as the deed may be.

3. And if a man in orders steal, or fight, or forswear, or fornicate, let him make 'bot' for it according as the deed may be, as well by 'wer,' as by 'wite' or by 'lah-slit;' and, above all things, make 'bot' before God as the canon teaches, and find 'borh thereof, or yield to prison. And if a mass-priest misdirect the people about a festival or about a fast, let him pay XXX. shillings among the English, and among the Danes three half-marks. If a priest fetch not the chrism at the right term, or refuse baptism to him who has need thereof, let him pay 'wite' among the English, and among the Danes 'lah-slit;' that is, twelve 'ores.'

Of incestuous persons.

4. And concerning incestuous persons, the 'witan' have ordained that the king shall have the upper, and the bishop the nether, unless

'bot' be made before God and before the world, according as the deed may be; so as the bishop may teach. If two brothers or near kinsmen commit fornication with the same woman, let them make 'bot' very strictly, in such wise as it may be allowed, as well by 'wer,' as by 'wite' or by 'lah-slit,' according as the deed may be.

If a man in orders foredo himself with capital crime, let him be seized and held to the bishop's doom.

5. If a man guilty of death desire confession, let it never be denied him. And all God's dues let every one zealously further, by God's mercy, and by the 'wites' which the 'witan' have annexed thereto.

6. If any one withhold tithes, let him pay 'lah-slit' among the Danes, 'wite' among the English. If any one withhold 'Rom-feoh,' let him pay 'lah-slit' among the Danes, 'wite' among the English. If any one discharge not 'light-scot,' let him pay 'lah-slit' among the Danes, 'wite' among the English. If any one give not plough-alms, let him pay 'lah-slit' among the Danes, 'wite' among the English. If any one deny any divine dues, let him pay 'lah-slit' among the Danes, 'wite' among the English. As if he fight and wound any one, let him be liable in his 'wer.' If he fell a man to death, let him then be an outlaw, and let every (one) of those seize him with 'hearm' who desire right. And if he so do that any one kill him, for that he resisted God's law or the kings, if that be proved true, let him lie uncompensated.

Of workings on a festival-day.

If any one engage in Sunday marketing, let him forfeit the chattel, and twelve 'ores' among the Danes, and XXX. shillings among the English. If a freeman work on a festival-day, let him forfeit his freedom, or pay 'wite' or 'lah-slit.' Let a 'theowman' suffer in his hide or 'hide-gild.' If a lord oblige his 'theow' to work on a festival-day, let him pay 'lah-slit' within the Danish law, and 'wite' among the English.

Of feasts.

8. If a freeman break a lawful feast, let him pay 'wite' or 'lah-slit.' If a 'theowman' do so, let him suffer in his hide or 'hide-gild.'

Of ordeals and oaths.

9. Ordeal and oaths are forbidden on festival-days and lawful fast-days; and he who shall break that, let him pay 'lah-slit' among the Danes, and 'wite' among the English.

If it can be so ordered, no one condemned should ever be executed

on the Sunday festival, but be secured and held till the festival be gone by.

10. If a limb-maimed man who has been condemned or forsaken, and he after that live three days then any one who is willing to take care of sore and soul may help him, with the bishop's leave.

Of witches, diviners, perjurers, etc.

11. If witches or diviners, perjurers or 'morth'-workers, or foul, defiled, notorious adulteresses, be found anywhere within the land; let them be driven from the country, and the people cleansed, or let them totally perish within the country, unless they desist, and the more deeply make 'bot.'

Of ecclesiastics and foreigners.

If any one wrong an ecclesiastic or a foreigner, through any means, as to money or as to life, then shall the king or the 'eorl' there in the land, and the bishop of the people, be unto him in the place of a kinsman and of a protector, unless he have another; and let 'bot' be strictly made, according as the deed may be, to Christ and to the king, as it is fitting; or let him avenge the deeds very deeply who is king among the people.

How a 'twelve-hynde' man shall be paid for.

A 'twelve-hynde' man's 'wer' is twelve hundred shillings.

A 'twy-hynde' man's 'wer' is two hundred shillings.

If any one be slain, let him be paid for according to his birth. And it is right that the slayer, after he has given 'wed' for the 'wer,' find, in adition, 'wer-borh' according as shall thereto belong; that is, to a 'twelve- hynde's 'wer-borh,' VIII. of the paternal kin, and IV. of the maternal kin. When that is done, then let the king's 'mund' be established, that is, that they all of either kindred, with their hands in common upon one weapon, engage to the mediator that the king's 'mund' shall stand. In XXI. days from that day let CXX. shillings be paid as 'heals-fang' at a 'twelve-hynde's' 'wer.' 'Heals-fang' belongs to no kinsman, except to those who are within the degrees of blood. In XXI. days from that day that the 'heals-fang' is paid, let the 'man-bot' be paid; in XXI. days from this, the fight-'wite;' in XXI. days from this, the 'frum-gyld' of the 'wer;' and so forth, till it be fully paid, within the time that the 'witan' have appointed. After this they must depart with love, if they desire to have full friendship.

All men shall do with regard to the 'wer' of a 'ceorl' that which belongs to his condition, like as we have said about a 'twelve-hynde' man.

Of Oaths

HOW THE MAN SHALL SWEAR

Thus shall a man swear fealty oaths.

1. By the Lord, before whom this relic is holy, I will be to N. faithful and true, and love all that he loves, and shun all that he shuns, according to God's law, and according to the world's principles, and never, by will nor by force, by word nor by work, do ought of what is loathful to him; on condition that he keep me as I am willing to deserve, and all that fulfil that our agreement was, when I to him submitted and chose his will.

Thus shall a man swear when he has discovered his property, and brings it in process.

2. By the Lord, before whom this relic is holy, so I my suit prosecute with full folk-right, without fraud and without deceit, and without any guile, as was stolen from me the cattle N. that I claim, and that I have attached with N.

The other's oath with whom a man discovers his cattle.

3. By the Lord, I was not at rede nor at deed, neither counsellor nor doer, where were unlawfully led away N.'s cattle. But as I cattle have, so did I lawfully obtain it. And: as I vouch it to warranty, so did he sell it to me into whose hand I now set it. And: as I cattle have, so did it come to my own property, and so it by folk-right my own possession is, and my rearing.

The oath of him who discovers his property, that he does it not either for hatred or for envy.

4. By the Lord, I accuse not N. either for hatred or for envy, or for unlawful lust of gain; nor know I anything soother; but as my informant to me said, and I myself in sooth believe, that he was the thief of my property.

The other's oath that he is guiltless.

5. By the Lord, I am guiltless, both in deed and counsel, and of the charge of which N. accuses me.

His companion's oath who stands with him.

6. By the Lord, the oath is clean and unperjured which N. has sworn.

Oath if a man finds his property unsound after he has bought it.

7. In the name of Almighty God, thou didst engage to me sound and clean that which thou soldest to me, and full security against after-

claim, on the witness of N., who then was with us two.

How he shall swear who stands with another in witness.

8. In the name of Almighty God, as I here for N. in true witness stand, unbidden and unbought, so I with my eyes over-saw, and with my ears over-heard, that which I with him say.

Oath that he knew not of foulness or fraud.

9. In the name of Almighty God, I knew not, in the things about which thou suest, foulness or fraud, or infirmity or blemish, up to that day's-tide that I sold it to thee; but it was both sound and clean, without any kind of fraud.

10. In the name of the living God, as I money demand, so have I lack of that which N. promised me when I mine to him sold.

Denial.

11. In the name of the living God, I owe not to N. 'sceatt' or shilling, or penny or penny's worth; but I have discharged to him all that I owe him, so far as our verbal contracts were at first.

Of the oath and degree—'bot' of men in orders.

12. A mass-priest's oath, and a secular thane's, are in English-law reckoned of equal value; and by reason of the seven church-degrees that the mass-priest, through the grace of God, has acquired, he is worthy of thane-right.

Of the Mercian oath.

13. A 'twelf-hynde' man's oath stands for six 'ceorls' oaths: because, if a man should avenge a 'twelf-hynde' man, he will be fully avenged on six 'ceorls,' and his 'wer-gild' will be six 'ceorls' 'wer-gilds.'

Bequeathed it and died, he who it owned, with full folk-right, so as it his elders, with money and with life, lawfully got, and let and left, in power of him, whom they well gifted. And so it have, as he it gave, who had it to give, without fraud and unforbidden; and I will possess it, as my own property, that that I have; and ne'er for thee design, nor plot nor ploughland, nor turf nor toft, nor furrow nor foot-mark, nor land nor leasowe, nor fresh nor marsh, nor rough nor plain, by wood nor field, by land nor by strand, by weald nor by water, but that will maintain, the while that I live; for there is no man alive, who ever heard, that any one made plaint against, or summoned him at the hundred, or anywhere at 'gemot,' in market-place, or among church-folk, the while that he lived. Sackless he was in life, be he in the grave, so as he may. Do as I teach: be thou with thine, and leave me with mine: I covet not thine, nor 'laeth' nor land, nor 'sac' nor 'socn;' nor needest thou mine; nor design I to thee any thing.

The North People's Law

1. The North people's king's 'gild' is XXX. thousand 'thrymsas;' fifteen thousand 'thrymsas' are for the 'wer-gild,' and XV. thousand for the 'cyne-dom.' The 'wer' belongs to the kindred, and the 'cyne-bot' to the people.

2. An archbishop's and an aetheling's 'wer-gild' is XV. thousand 'thrymsas.'

3. A bishop's and 'ealdorman's,' VIII. thousand 'thrymsas.'

4. A 'hold's' and a king's high-reeves, IV. thousand 'thrymsas.'

5. A mass-thane's and a secular thane's, II. thousand 'thrymsas.'

6. A 'ceorl's' 'wer-gild' is CC. and LXVI. 'thrymsas,' that is CC. shillings by Mercian law.

7. And if a 'Wilsc'-man' thrive so that he have a hide of land, and can bring forth the king's 'gafol,' then in his 'wer-gild' CXX. shillings. And if he thrive not except to half a hide, then let his 'wer' be LXXX. shillings.

8. If he have not any land, and yet be free, let him be paid for with LXX. shillings.

9. And if a 'ceorlish' man thrive, so that he have V. hides of land for the king's 'ut-ware,' and any one slay him, let him be paid for with two thousand 'thrymsas.'

10. And though he thrive, so that he have a helm and a coat of mail, and a sword ornamented with gold, if he have not that land, he is nevertheless a 'ceorl.'

11. And if his son and his son's son so thrive, that they have so much land; afterwards the offspring shall be of 'gesithcund' race, at two thousand ['thrymsas.']

12. And if they have not that, nor to that can thrive, let them be paid for as 'ceorlish.'

---

1. Let the king's 'wer-gild' be with the English race, by folk-right, thirty thousand 'thrymsas,' and of these, let XV. thousand be for the 'wer,' and the other XV. M. for the 'cyne-dom.' The 'wer' belongs to the kindred of the royal family, and the 'cyne-bot' to the people of the country.

2. An archbishop's and an 'eorl's' 'wer-gild' is XV. M. 'thrymsas.'

6. A 'ceorl's' 'wer-gild' is CCLXVII. 'thrymsas' by the Danish law.

7. And a 'Wylisc'-man's 'wer-gild,' if he be to that degree

enriched that he have a hide of land and property, and pay 'gafol' to the king, it is then CCXX. shillings. But if he be only risen to half a hide, then let his 'wer' be LXXX. shillings.

8. If he have no land, but is free, let him be paid for with LXX. shillings.

9. If a 'ceorl' be enriched to that degree, that he have V. hides of land, and anyone slay him, let him be paid for with II. M. 'thrimsas.'

10. And if he acquire so that he have a coat of mail and a helmet, and an over-gilded sword, if he have not that land, he is 'sithcund.'

11. And if his son and the son's son that acquire, that they have so much land, let their successors be of the 'sithcund' kin, and let them be paid for with II. M. 'thrimsas.'

Of Mercian Law

A 'ceorl's' 'wer-gild' is by the Mercian law CC. shillings. A thane's 'wer-gild' is six times as much, that is, XII. hundred shillings. Then is a king's simple 'wer-gild' VI. thanes' 'wer' by Mercian law, that is, XXX. thousand 'sceatts,' and that is altogether CXX. pounds. So much is the 'wer-gild' in the people's folk-right by Mercian law. And for the 'cyne-dom' there is due another such sum as 'bot' for 'cyne-gild.' The 'wer' belongs to kindred, and the 'cyne-bot' to the people.

Ranks

Of people's ranks and law.

1. It is whilom, in the laws of the English, that people and law went by ranks, and then were the counsellors of the nation of worship worthy, each according to his condition, 'eorl' and 'ceorl,' 'thegen' and 'theoden.'

2. And if a 'ceorl' thrived, so that he had fully five hides of his own land, church and kitchen, bell-house and 'burh'-gate-seat, and special duty in the king's hall, then was he thenceforth of thane-right worthy.

3. And if a thane thrived, so that he served the king, and on his summons, rode among his household; if he then had a thane who him followed, who to the king's 'ut-ware,' five hides had, and in the king's hall served his lord, and thrice with his errand went to the king; he might thenceforth, with his 'fore-oath,' his lord represent, at various needs, and his plaint lawfully conduct, wheresover he ought.

4. And he who so prosperous a vicegerent had not, swore to himself according to his right, or it forfeited.

5. And if a thane thrived, so that he became an 'eorl,' then was he thenceforth of 'eorl'-right worthy.

6. And if a merchant thrived, so that he fared thrice over the wide sea by his own means, then was he thenceforth of thane-right worthy.

7. And if there a scholar were, who through learning thrived, so that he had holy orders, and served Christ; then was he thenceforth of rank and power so much worthy, as then to those orders rightfully belonged, if he himself conducted as he should; unless he should misdo, so that he those orders' ministry might not minister.

8. And if it happened, that any one a man in orders, or a stranger, anywhere injured, by word or work; then pertained it to king and to the bishop, that they that should make good, as they soonest might.

THE LAWS OF KING AETHELSTAN

ASCENDED THE THRONE 924 A. D.

King Aethelstan's Ordinance

I, Aethelstan king, with the counsel of Wulfhelm, archbishop, and of my other bishops, make known to the reeves at each 'burh,' and beseech you, in God's name, and by all his saints, and also by my friendship, that ye first of my own goods render the tithes both of live stock and of the year's earthly fruits, so that they may most rightly be either meted, or told, or weighed out; and let the bishops then do the like from their own goods, and my 'ealdormen' and my reeves the same. And I will, that the bishop and the reeves command it to all those who ought to obey them, that it be done at the right term. Let us bear in mind how Jacob the patriarch spake: 'Decimas et hostias pacificas offeram tibi:' and how Moses spake in God's law: 'Decimas et primitias non tardabis offerre Domino.' It is for us to think how awfully it is declared in the books: If we will not render the tithes to God, that he will take from us the nine parts when we least expect; and, moreover, we have the sin in addition thereto. And I will also that my reeves do, that there be given the church-scotts and the soul-scotts at the places to which they rightly belong: and plough-alms yearly, on this condition; that they shall enjoy it at the holy places who are willing to serve their churches, and of God and of me are willing to

deserve it: but let him who will not, forfeit the bounty, or again turn to right. Now ye hear, saith the king, what I give to God, and what ye ought to fulfil by my 'oferhirnes.' And do ye also so that ye may give to me my own what ye for me may acquire. I will not that ye unjustly anywhere acquire aught for me; but I will grant to you your own justly, on this condition, that ye yield to me mine; and shield both yourselves, and those whom ye ought to exhort, against God's anger and against my 'oferhirnes.'

Aethelstan's Ordinances

Of thieves.

1. First: that no thief be spared, who may be taken 'hand-haebbende,' above XII. years, and above eight pence. And if any one so do, let him pay for the theif according to his 'wer,' and let it not be the more settled for the thief, or that he clear himself thereby. But if he will defend himself, or flees away, then let him not be spared. If a thief be brought into prison: that he be XL. days in prison, and let him be released thereout with CXX. shillings, and let the kindred enter into 'borh' for him that he evermore desist. And if after that he steal, let them pay for him according to his 'wer,' or bring him again therein: and if any one stand up for him, let him pay for him according to his 'wer,' as well to the king as to him to whom it lawfully belongs: and let every man of those there who stand by him pay to the king CXX. shillings as 'wite.'

Of lordless men.

2. And we have ordained: respecting those lordless men of whom no law can be got, that the kindred be commanded that they domicile him to folk-right, and find him a lord in the folk-mote; and if they then will not or cannot produce him at the term, then be he thenceforth a 'flyma,' and let him slay him for a thief who can come at him: and whoever after that shall harbour him, let him pay for him according to his 'wer,' or by it clear himself.

Of denial of right.

3. And the lord who denies justice, and upholds his evildoing man, and the king be applied to on that account; let him pay the 'ceapgild,' and give to the king CXX. shillings: and he who applies to the king before he has prayed for justice, as oft it shall behove him; let him pay the like 'wite' that the other should if he had denied him justice. And the lord who is privy to his 'theow's' theft, and it is made manifest against him, let him forfeit the 'theow, and be liable in his

'wer,' for the first time. If he do so oftener, let him be liable in all that he has: and, also, such of the king's 'horderes,' or of our reeves, as shall be privy to the thieves who have stolen, let him be subject to the like.

Of witch-crafts.

6. And we have ordained respecting witch-crafts, and 'lybacs,' and 'morth-daeds:' if any one should be thereby killed, and he could not deny it, that he be liable in his life. But if he will deny it, and at threefold ordeal shall be guilty; that he be CXX. days in prison: and after that let kindred take him out, and give to the king CXX. shillings, and pay the 'wer' to his kindred, and enter into 'borh' for him, that he evermore desist from the like.

Of incendiaries.

Let incendiaries, and those who avenge a thief, be worthy of the like law. And he who will avenge a thief, and wounds no man, let him give to the king CXX. shillings, as 'wite' for the assault.

Of the single ordeal.

7. And we have ordained respecting the single ordeal, for those men who have been often accused, and have been found guilty, and they know not who shall take them in 'borh;' let them be brought into prison: and let them be delivered out as here before is ordained.

Of landless men.

8. And we have ordained: if any landless man should become a follower of another shire, and again seek his kinsfolk; that he may harbour him on this condition, that he present him to folk-right if he there do any wrong, or make 'bot' for him.

Of attaching cattle.

9. He who attaches cattle, let V. of his neighbours be named to him; and of the V. let him get one who will swear with him that he takes it to himself by folk-right: and he who will keep it to himself, to him let there be named X. men, and let him get two of them, and give the oath that it was born on his property, without the 'rim-ath;' and let his 'cyre-ath' stand for over XX. pence.

Of exchange.

10. And let no man exchange any property without the witness of the reeve, or of the mass-priest, or of the land-lord, or of the 'hordere,' or of other unlying man. If any one do so, let him give XXX. shillings, and let the land-lord take possession of the exchange.

Of wrongful witness.

But if it be found that any of these have given wrongful witness,

that his witness never stand again for aught, and that he also give XXX. shillings as 'wite.'

That a man buy not out of port.

12. And we have ordained: that no man buy any property out of port over XX. pence; but let him buy there within, on the witness of the port-reeve, or of another unlying man: or further, on the witness of the reeves at the folk-mote.

Of repairing of 'burhs.'

13. And we ordain: that every 'burh' be repaired XIV. days over Rogation Days.

Secondly: that every marketing be within port.

Of moneyers.

14. Thirdly: that there be one money over all the king's dominion, and that no man mint except within port. And if the moneyer be guilty, let the hand be struck off that wrought the offense, and, be set up on the money-smithy: but if it be an accusation, and he is willing to clear himself; then let him go to the hot-iron, and clear the hand therewith with which he is charged that fraud to have wrought. And if at the ordeal he should be guilty, let the like be done as here before ordained.

In Canterbury VII. moneyers; IV. the king's, and II. the bishop's, I. the abbot's.

At Rochester III.; II. the king's, and I. the bishop's.

At London VIII.

At Winchester VI.

At Lewes II.

At Hastings I.

Another at Chichester;

At Hampton II.

At Wareham II.

At Exeter II.

At Shaftesbury II.

Else, at the other 'burhs' I.

Of shield-wrights.

15. Fourthly: that no shield-wright cover a shield with sheep's skin; and if he so do, let him pay XXX. shillings.

16. Fifthly: that every man have to the plough II. well-horsed men.

Of those who take meed-money of a thief.

17. Sixthly: if any one take meed-money of a thief, and suppress

another's right, let him be liable in his 'wer.'

Of horses.

18. Seventhly: that no man part with a horse over sea, unless he wish to give it.

Of a 'theowman' who is guilty at the ordeal.

19. And we have ordained respecting a 'theowman:' if he were guilty at the ordeal, that the 'ceap-gild' should be paid; and that he be scourged thrice, or a second 'gild' be given: and be the 'wite' of half value for 'theows.'

Of him who fails to attend the 'gemot.'

20. If any one, [when summoned] fail to attend the 'gemot' thrice; let him pay the king's 'oferhyrnes,' and let it be announced seven days before the 'gemot' is to be. But if he will not do right, nor pay the 'oferhyrnes;' then let all the chief men belonging to the 'burh' ride to him, and take all that he has, and put him in 'bohr.' But if any one will not ride with his fellows, let him pay the king's 'oferhyrnes.' And let it be announced at the 'gemot,' that the 'frith' be kept toward all that the king wills to be within the 'frith,' and theft be foregone by his life and by all that he has. And he who for the 'wites' will not desist, then let all the chief men belonging to the 'burh' ride to him, and take all that he has; and let the king take possession of half, of half the men who may be in the riding; and place him in 'borh.' If he knows not who will be his 'borh,' let them imprison him. If he will not suffer it, let him be killed, unless he escape. If any one will avenge him, or be at feud with any of them, then be he foe to the king, and to all his friends. If he escape, and any one harbour him, let him be liable to his 'wer;' unless he shall dare to clear himself by the 'flyma's' 'wer,' that he knew he was a 'flyma.'

Of him who compounds for an ordeal.

21. If any one compound for an ordeal, let him compound for the 'ceap-gild,' as he can, and not for the 'wite;' unless he is willing to grant it to whom it may belong.

Of him who receives another man's man.

22. And let no man receive another man's man, without his leave whom he before followed. If any one so do; let him give up the man, and make 'bot' the king's 'oferhyrnes.' And let no one dismiss his accused man from him before he has done what is right.

Of him who gives 'wed' for an ordeal.

23. If any one gives 'wed' for an ordeal, then let him come three days before to the mass-priest who is to hallow it; and let him feed

himself with bread and with water, and salt, and herbs, before he shall go to it; and let him attend mass each of the three days, and make an oblation, and go to the house on the day that he shall go to the ordeal: and then swear the oath that he is, according to the folk-right, guiltless of the charge, before he goes to the ordeal. And if it be water, that he dive an ell and a half by the rope; if it be iron ordeal, let it be three days before the hand be undone. And let every man begin his charge with a fore-oath, as we before ordained: and be each of those fasting, on either hand, who may be there together, by God's command and the archbishop's: and let there be on either side not more than XII. If the accused man be with a larger company than some twelve, then be the ordeal void, unless they will go from him.

Of him who buys property.

24. And he who buys property with witnesses, and if after obliged to vouch it to warranty, then let him receive it from whom he before had bought it, whether he be free or bond, whichsoever he be.

And let no marketing be on Sundays; but if any one do so, let him forfeit the goods, and pay XXX. shillings as 'wite.'

Of perjurers.

25. And he who shall swear a false oath, and it be made clear against him; that he never after be oath-worthy, nor let him lie within a hallowed burial-place, though he die, unless he have the testimony of the bishop in whose shrift-shire he may be, that he has made such 'bot' as his confessor prescribed to him. And let his confessor announce to the bishop, within XXX. days, whether he would turn to the 'bot.' If he do not so, let him make 'bot' in such wise as the bishop shall prescribe to him.

26. But if any one of my reeves will not do this, and care less about it than we have commanded; then let him pay my 'oferhyrnes,' and I will find another who will. And let the bishop exact the 'oferhyrnes' of the reeve for the first time V. pounds; for the second time, his 'wer;' for the third time, let him forfeit all that he has, and the friendship of us all.

All this was established in the great synod at 'Great-anlea:' in which was the archbishop Wulfhelm, with all the noble men and 'witan' whom King Aethelstan.....gather (sentence incomplete.)

Doom concerning hot iron and water.

7. And concerning the ordeal we enjoin by command of God, and of the archbishop, and of all the bishops: that no man come within the church after the fire is borne in with which the ordeal shall be

heated, except the mass-priest, and him who shall go thereto: and let there be measured nine feet from the stake to the mark, by the man's feet who goes thereto. But if it be water, let it be heated till it low to boiling. And be the kettle of iron or of brass, of lead or of clay. And if it be a single accusation, let the hand dive after the stone up to the wrist; and if it be threefold, up to the elbow. And when the ordeal is ready, then let two men go in of either side; and be they agreed that it is so hot as we before have said. And let go an equal number of men of either side, and stand on both sides of the ordeal, along the church; and let these all be fasting, and abstinent from their wives on that night; and let the mast-priest sprinkle holy water over them all, and let each of them taste of the holy water, and give them all the book and the image of Christ's rood to kiss: and let no man mend the fire any longer when the hallowing is begun; but let the iron lie upon the hot embers till the last collect: after that let it be laid upon the 'stapela;' and let there be no other speaking within, except that they earnestly pray to Almighty God that he make manifest what is soothest. And let him go thereto; and let his hand be enveloped, and be it postponed till after the third day, whether it be foul or clean within the envelope. And he who shall break this law, be the ordeal with respect to him void, and let him pay to the king CXX. shillings as 'wite.'

'Wal-reaf' is the 'nithing's' deed: if any one desire to deny it, let him do so with eight and forty full-born thanes.

THE LAWS OF KING EDMUND

Ecclesiastical

KING EDMUND'S INSTITUTES

King Edmund assembled a great synod at London, during the holy Easter tide, as well of ecclesiastical as of secular degree. There was Oda archbishop, and Wulfstan archbishop, and many other bishops, meditating concerning the condition of their souls, and of those who were subject to them.

Of the chastity of ecclesiastics.

1. This is the first: that those holy orders who have to teach God's people by their life's example, hold their chastity according to their degree, whichsoever it may be. If they do not so, then are they worthy of that which in the canon is ordained; that is, that they for-

feit their worldly possessions and a consecrated burial-place, unless they make 'bot.'

Of tithes and church-scots.

2. A tithe we enjoin to every Christian man by his Christendom, and church-scot, and 'Rome-feoh,' and plough-alms. And if any one will not do so, let him be excommunicated.

Of homicide.

3. If any one shed a Christian man's blood, let him not come into the king's presence, ere he go to penance, as the bishop may teach him, and his confessor direct him.

Of nun's fornication and of adultery.

4. He who commits fornication with a nun, let him not be worthy of a consecrated burial place (unless he make 'bot'), any more than a man-slayer. We have ordained the same respcting adultery.

Of the repairing of churches.

5. We have also ordained: that every bishop repair the house of God in his own [district], and also remind the king that all God's churches be well conditioned as is very needful for us.

Of perjurers and lyblacs.'

6. Those who swear falsely and work 'lyblac,' let them be forever cast out of all commission with God, unless they turn to right repentence.

THE LAWS OF KING EDGAR

THIS IS THE ORDINANCE HOW THE HUNDRED SHALL BE HELD.

First, that they meet always within four weeks: and that every man do justice to another.

2. That a thief shall be pursued.....

If there be present need, let it be known to the hundred-man, and let him [make it known] to the tithing-men; and let all go forth to where God may direct them to go: let them do justice on the thief, as it was formerly the enactment of Edmund. And let the 'ceap-gild' be paid to him who owns the cattle, and the rest be divided into two; half to the hundred, half to the lord, excepting men; and let the lord take possession of the men.

3. And the man who neglects this, and denies the doom of the hundred, and the same be afterwards proved against him; let him pay to the hundred XXX. pence, and for the second time sixty pence; half

to the hundred, half to the lord. If he do so a third time, let him pay half a pound: for the fourth time, let him forfeit all that he owns, and be an outlaw, unless the king allow him to remain in the country.

4. And we have ordained concerning unknown cattle; that no one should possess it without the testimonies of the men of the hundred, or of the tithing-man; and that he be a well trusty man: and, unless he have either of these, let no vouching to warranty be allowed him.

5. We have also ordained: if the hundred pursue a track into another hundred, that notice be given to the hundred-man, and that he then go with them. If he neglect this, let him pay thirty shillings to the king.

6. If any one flinch from justice and escape, let him who held him to answer for the offense pay the 'anylde.' And if any one accuse him of having sent him away, let him clear himself, as it is established in the country.

7. In the hundred, as in any other 'gemot,' we ordain: that folk-right be pronounced in every suit, and that a term be fixed when it shall be fulfilled. And he who shall break that term, unless it be by his lord's decree, let him make 'bot' with XXX. shillings, and, on the day fixed, fulfil that which he ought to have done before.

8. An ox's bell, and a dog's collar, and a blast-horn; either of these three shall be worth a shilling, and each is reckoned an informer.

9. Let the iron that is for the three-fold ordeal weigh III. pounds; and for the single, one pound.—Thorpe's Laws of the Anglo-Saxons.

THE ERA OF THE ARABS

MOHAMMED AND THE QUR'AN

Mohammed was born at Mecca in Arabia, 570 A. D., of the powerful tribe of the Koreish. In early life he was a camel driver noted for his faithfulness, and while acting as business manager of the wealthy widow Khadijah for a year, won her love and they were married in Mohammed's twenty-sixth year.

The religion of the Arabs was at this time mostly a degraded fetischism, but Mohammed was accustomed to spend long periods on Mt. Hira in fasting and prayer. About this time he began to see visions, and to suffer attacks of convulsions. We believe these visions and convulsions to have unquestionably been due to his own weakness, long fasts and over-exertion: the ascetics of the desert of Egypt, and, in fact, all such ascetics have been subject to similar delusions, while even over-worked bicycle racers to-day have fancies not unlike them in real nature. Mohammed thought the Angel Gabriel revealed to him in succession some of the earliest chapters of the Koran, and began preaching, first for three years in secret, then nine years in public, but with few converts.

In 620 A. D. he converted six men of the town of Yatreb, and two years later the whole town swore allegiance to the new faith. His followers at Mecca emigrated to Yatreb and later he escaped from Mecca and joined them. Henceforth Yatreb was called Medina (City of the Prophet). War arose between the Koreish and Medina. Mohammed was at first successful, then defeated, and glad to sign a truce

that was soon broken by the Koreish. He thereupon marched against them with ten thousand men and they surrendered without a battle.

His faith spread rapidly and at his death in 632 A. D. was the religion of Arabia and had begun to encroach on the Greek and Persian empires.

The results of Mohammedism have been greatly underestimated. In the century after Mohammed's death it wrested Asia Minor, Africa, and Spain from Christianity, more than half of the civilized world, and established a civilization, the highest in the world during the dark ages. It brought the Arabian race to their highest development, raised the position of woman in the East, though it retained polygamy, was intensely monotheistic, and until the Turks gained control for the most part encouraged progress.

The most significant parts of the Koran (Qur'an) follow.

THE QUR'AN

The Opening Chapter
(I. MECCA)

In the name of the merciful and compassionate God.

Praise belongs to God, the Lord of the worlds, the merciful, the compassionate, the ruler of the day of judgment! Thee we serve and Thee we ask for aid. [5] Guide us in the right path, the path of those Thou art gracious to; not of those Thou art wroth with; nor of those who err.

Calls to Battle
(FROM II. MEDINAH)

Fight in God's way with those who fight with you, but transgress not; verily, God loves not those who do transgress.

Kill them wherever ye find them, and drive them out from whence they drive you out; for sedition is worse than slaughter; but fight them not by the Sacred Mosque until they fight you there; then kill them, for such is the recompense of those that misbelieve.

But if they desist, then, verily, God is forgiving and merciful.

But fight them that there be no sedition and that the religion may be God's; but, if they desist, then let there be no hostility save against the unjust.

[190] The sacred month for the sacred month; for all sacred things demand retaliation; and who so transgresses against you, transgress against him like as he transgressed against you; but fear ye God, and know that God is with those who fear.

Prescribed for you is fighting, but it is hateful to you. Yet peradventure that ye hate a thing while it is good for you, and peradventure that ye love a thing while it is bad for you; God knows, and ye,—ye do not know!

They will ask thee of the sacred month,—of fighting therein. Say, 'Fighting therein is a great sin; but turning folks off God's way, and misbelief in Him and in the Sacred Mosque, and turning His people out therefrom, is a greater in God's sight; and sedition is a greater sin than slaughter.'

They will not cease from fighting you until they turn you from your religion if they can; but whosoever of you is turned from his religion and dies while still a misbeliever; these are those whose works are vain in this world and the next; they are the fellows of the Fire, and they shall dwell therein for aye.

[215] Verily, those who believe, and those who flee, and those who wage war in God's way; these may hope for God's mercy, for God is forgiving and merciful.

[245] Fight then in God's way, and know that God both hears and knows.

Who is there that will lend to God a good loan? He will redouble it in many double; God closes His hand and holds it out, and unto Him shall ye return.

Dost thou not look at the crowd of the children of Israel after Moses' time, when they said to a prophet of theirs, 'Raise up for us a king, and we will fight in God's way?' He said, 'Will ye perhaps, if it be written down for you to fight, refuse to fight?' They said, 'And why should we not fight in God's way, now that we are dispossessed of our homes and sons?' But when it was written down for them to fight they turned buck, save a few of them, and God knows who are evildoers. Then their prophet said to them, 'Verily, God has raised up for you *T*âlut as a king;' they said, 'How can the kingdom be his over us; we have more right to the kingdom than he, for he has not an amplitude of wealth?' He said, 'Verily, God has chosen him over you, and has provided him with an extent of knowledge and of form. God gives the kingdom unto whom He will; God comprehends and knows.'

Then said to them their prophet, 'The sign of his kingdom is that there shall come to you the ark with the shechina in it from your Lord, and the relics of what the family of Moses and the family of Aaron left; the angels shall bear it.' In that is surely a sign to you if ye believe.

[250] And when *T*âlut set out with his soldiery, he said, 'God will try you with a river, and he who drinks therefrom, he is not of mine; but whoso tastes it not, he is of mine, save he who laps it lapping with his hand.'

And they drank from it save a few of them, and when he crossed it, he and those who believed with him, they said, 'We have no power this day against *G*âlut and his soldiery,' those who thought that they should meet their Lord said, 'How many a small division of men have conquered a numerous division, by the permission of God, for God is with the patient.

And when they went out against *G*âlut and his soldiery, they said, 'Lord, pour out patience over us, and make firm our steps, and help us against the misbelieving people!'

And they put them to flight by the permission of God, and David killed *G*âlut, and God gave him the kingdom and wisdom, and taught him of what He willed. And were it not for God's repelling men one with another the earth would become spoiled; but God is Lord of grace over the worlds.

These are the signs of God, we recite them to thee in truth, for, verily, thou art of those who are sent.

The Chapter of Women
(iv. medinah)

In the name of the merciful and compassionate God.

O ye folk! fear your Lord, who created you from one soul, and created therefrom its mate, and diffused from them twain many men and women. And fear God, in whose name ye beg of one another, and the wombs; verily, God over you doth watch.

And give unto the orphans their property, and give them not the vile in exchange for the good, and devour not their property to your own property; verily, that were a great sin. But if ye fear that ye cannot do justice between orphans, then marry what seems good to you of women, by twos, or threes, or fours; and if ye fear that ye cannot be equitable, then only one, or what your right hand possess. That keeps you nearer to not being partial.

And give women their dowries freely; and if they are good enough to remit any of it of themselves, then devour it with good digestion and appetite.

But do not give up to fools their property which God has made you to stand by; but maintain them from it, and clothe them, and speak to them with a reasonable speech. [5] Prove orphans until they reach a marriageable age, and if ye perceive in them right management, then hand over to them their property, and do not devour it extravagantly in anticipation of their growing up. And he who is rich, let him abstain; but he who is poor, let him devour in reason, and when ye hand over to them their property, then take witnesses against them; but God sufficeth for taking account.

Men should have a portion of what their parents and kindred leave, and women should have a portion of what their parents and kindred leave, whether it be little or much, a determined portion. And when the next of kin and the orphans and the poor are present at the division, then maintain them out of it, and speak to them a reasonable speech. [10] And let these fear lest they leave behind them a weak seed, for whom they would be afraid; and let them fear God, and speak a straightforward speech. Verily, those who devour the property of orphans unjustly, only devour into their bellies fire, and they shall broil in flames.

God instructs you concerning your children; for a male the like of the portion of two females. and if there be women above two, then let them have two-thirds of what (the deceased) leaves; and if there be but one, then let her have a half; and as to the parents, to each of them a sixth of what he leaves, if he has a son; but if he have no son, and his parents inherit, then let his mother have a third, and if he have brethren, let his mother have a sixth after payment of the bequest he bequeaths and of his debt.

Your parents or your children, ye know not which of them is nearest to you in usefulness:—an ordinance this from God; verily, God is knowing and wise! And ye shall have half of what your wives leave, if they have no son; but if they have a son, then ye shall have a fourth of what they leave, after payment of the bequests they bequeath or of their debts. And they shall have a fourth of what ye leave, if ye have no son; but if ye have a son, then let them have an eighth of what ye leave, after payment of the bequest ye bequeath and of your debts.

[15] And if the man's or the woman's (property) be inherited by a kinsman who is neither parent nor child, and he have a brother or sister, then let each of these two have a sixth; but if they are more than that, let them share in a third after payment of the bequest he bequeaths and of his debts, without prejudice,—and ordinance this from God, and God is knowing and clement!

These be God's bounds, and whoso obeys God and the Apostle He will make him enter into gardens beneath which rivers flow, and they shall dwell therein for aye;—that is the mighty happiness.

But whoso rebels against God and His Apostle, and transgresses His bounds, He will make him enter into fire, and dwell therein for aye; and for him is shameful woe.

Against those of your women who commit adultery, call witnesses four in number from among yourselves; and if these bear witness, then keep the women in houses until death release them, or God shall make for them a way.

[20] And if two of you commit it, then hurt them both; but if they turn again and amend, leave them alone, verily, God is easily turned, compassionate.

God is only bound to turn again towards those who do evil through ignorance and then turn again. Surely, these will God turn again to, for God is knowing, wise. His turning again is not for those who do evil, until, when death comes before one of them, he says, 'Now I turn again;' nor yet for those who die in misbelief. For such as these have we prepared a grievous woe.

O ye who believe! it is not lawful for you to inherit women's estates against their will; nor to hinder them, that ye may go off with part of what ye brought them, unless they commit fornication manifestly; but associate with them in reason, for if ye are averse from them, it may be that ye are averse something wherein God has put much good for you.

But if ye wish to exchange one wife for another, and have given one of them a talent, then take not from it anything. What! would you take it for a calumny and a manifest crime?

[25] How can ye take it when one of you has gone in unto the other, and they have taken from you a rigid compact?

And do not marry women your fathers married,—except bygones, —for it is abominable and hateful, and an evil way; unlawful for you are your mothers, and your daughters, and your sisters, and your paternal aunts and maternal aunts, and your brother's daughters, and your

sister's daughters, and your foster mothers, and your foster sisters, and your wives' mothers, and your step daughters who are your wards, born of your wives to whom ye have gone in; but if ye have not gone in unto them, then it is no crime in you; and the lawful spouses of your sons from your own loins, and that ye form a connexion between two sisters,—except bygones,—verily, God is forgiving, merciful; and married women, save such as your right hand possess,—God's Book against you!—but lawful for you is all besides this, for you to seek them with your wealth, marrying them and not fornicating; but such of them as ye have enjoyed, give them their hire as a lawful due; for there is no crime in you about what ye agree between you after such lawful due, verily, God is knowing and wise.

But whosoever of you cannot go the length of marrying marriageable women who believe, then take of what your right hands possess, of your maidens who believe;—though God knows best about your faith. Ye come one from the other; then marry them with the permission of their people, and give them their hire in reason, they being chaste and not fornicating, and not receivers of paramours.

[30] But when they are married, if they commit fornication, then inflict upon them half the penalty for married women; that is for whomsoever of you fears wrong; but that ye should have patience is better for you, and God is forgiving and merciful.

God wishes to explain to you and to guide you into the ordinances of those who were before you, and to turn towards you, for God is knowing, wise. God wishes to turn towards you, but those who follow their lusts wish that ye should swerve with a mighty swerving! God wishes to make it light for you, for man was created weak.

O ye who believe! devour not your property amongst yourselves vainly, unless it be a merchandise by mutual consent. And do not kill yourselves; verily, God is compassionate unto you.

But whoso does that maliciously and unjustly, we will broil him with fire; for that is easy with God.

[35] If ye avoid great sins from which ye are forbidden, we will cover your offenses and make you enter with a noble entrance.

And do not covet that by which God has preferred one of you over another. The men shall have a portion of what they earn, and the women a portion of what they earn; ask God for His grace, verily, God knows all.

To every one have we appointed kinsfolks as heirs of what parents and relatives and those with whom ye have joined right hands leave;

so give them their portion, for, verily, God is over all a witness.

Men stand superior to women in that God hath preferred some of them over others, and in that they expend of their wealth: and the virtuous women, devoted, careful (in their husbands') absence, as God has cared for them. But those whose perverseness ye fear, admonish them and remove them into bedchambers and beat them; but if they submit to you, then do not seek a way against them; verily, God is high and great.

And if you fear a breach between the two, then send a judge from his people and a judge from her people. If they wish for reconciliation, God will arrange between them; verily, God is knowing and aware.

The Chapter of the Table
(v. medinah)

In the name of the merciful and compassionate God.

O ye who believe! fulfil your compacts.—Lawful for you are brute beasts, save what is here recited to you, not allowing you the chase while ye are on pilgrimage; verily, God ordaineth what He will.

O ye who believe! do not deem the monuments of God to be lawful, nor the sacred month, nor the offering, nor its neck garlands, nor those who sojourn at the sacred house, craving grace from their Lord and His pleasure.

But when ye are in lawful state again, then chase; and let not ill-will against the people who turned you from the Sacred Mosque make you transgress; but help one another in righteousness and piety, and do not help one another to sin and enmity; but fear God,—verily, God is keen to punish.

Forbidden to you is that which dies of itself, and blood, and the flesh of swine, and that which is devoted to other than God, and the strangled and the knocked down, and that which falls down, and the gored, and what wild beasts have eaten—except what ye slaughter in time—and what is sacrificed to idols, and dividing carcases by arrows.

To-day shall those who disbelieve in your religion despair; do ye not then fear them, but fear me—[5] To-day is perfected for you your religion, and fulfilled upon you is my favour, and I am pleased for you to have Islâm for a religion. But he who is forced by hunger, not inclined wilfully to sin, verily, God is forgiving, compassionate.

They will ask thee what is lawful for them? say, 'Lawful for you are good things and what ye have taught beasts of prey (to catch), training them like dogs;—ye teach them as God taught you;—so eat

of what they catch for you, and mention the name of God over it, and fear God, for verily, God is swift in reckoning up.'

Lawful for you to-day are good things, and the food of those to whom the Book has been given is lawful for you, and your food is lawful for them; and chaste women of those who believe, and chaste women of those to whom the Book has been given before you,—when you have given them their hire, living chastely and not fornicating, and not taking paramours. But whoso disbelieves in the faith, of a truth his work is vain, and he shall be in the next life of those who lose.

O ye who believe! when ye rise up to prayer wash your faces, and your hands as far as the elbows, and wipe your heads, and your feet down to the ankles. And if ye are polluted, then purify yourselves. But if ye are sick, or on a journey, and cannot find water, then take fine surface sand and wipe your faces and your hands therewith. God does not wish to make any hindrance for you; but He wishes to purify you and to fulfil his favour upon you; haply ye may give thanks.

[10] Remember the favour of God to you and His covenant which He covenanted with you, when ye said, 'We hear and we obey;' and fear God, verily, God knows the nature of men's breasts.

O ye who believe! stand steadfast to God as witnesses with justice; and let not ill-will towards people make you sin by not acting with equity. Act with equity, that is nearer to piety, and fear God; for God is aware of what ye do.

God has promised to those who believe and work righteousness, that for them is pardon and a mighty hire. But those who disbelieve and call our signs lies, these are the fellows of hell.

O ye who believe! remember God's favour towards you, when a people intended to stretch their hands against you, but He withheld their hands from you; and upon God let believers rely.

[15] God did take a compact from the children of Israel, and raised up of them twelve wardens; and God said, verily, I am with you, if ye be steadfast in prayer, and give alms, and believe in my apostles, and assist them, and lend to God a goodly loan; then will I cover your offenses and make you enter gardens beneath which rivers flow: and whoso disbelieves after that, he hath erred from the level way.

And for that they broke their compact, we cursed them, and placed in their hearts hardness, so that they perverted the words from their places, and forgot a portion of what they were reminded of.

But thou wilt not cease to light upon treachery amongst them, save

a few of them; but pardon them and shun them; verily, God loves the kind.

And of those who say, 'Verily, we are Christians,' we have taken a compact; but they have forgotten a portion of what they were reminded of; wherefore have we excited amongst them enmity and hatred till the resurrection day; but God will tell them of what they have done.

O ye people of the Book! our Apostle has come to you to explain to you much of what ye had hidden of the Book, and to pardon much. There has come to you from God a light, and a perspicuous Book; God guides thereby those who follow His pleasure to the way of peace, and brings them into a right way.

They misbelieve who say, 'Verily, God is the Messiah the son of Mary;' say, 'Who has any hold on God, if he wished to destroy the Messiah the son of Mary, and his mother, and those who are on earth altogether?'

[20] God's is the kingdom of the heavens and the earth and what is between the two; He createth what He will, for God is mighty over all!

But the Jews and the Christians say, 'We are the sons of God and His beloved.' Say, 'Why then does He punish you for your sins? nay, ye are mortals of those whom He has created! He pardons whom He pleases, and punishes whom He pleases; for God's is the kingdom of the heavens and the earth, and what is between the two, and unto Him the journey is.

O people of the Book! our Apostle has come to you, explaining to you the interval of apostles; lest ye say, 'There came not to us a herald of glad tidings nor a warner.' But there has come to you now a herald of glad tidings and a warner, and God is mighty over all!

When Moses said to his people, 'O my people! remember the favour of God towards you when He made amongst you prophets, and made for you kings, and brought you what never was brought to anybody in the worlds. O my people! enter the Holy Land which God has prescribed for you; and be ye not thrust back upon your hinder parts and retreat losers. [25] They said, 'O Moses! verily, therein is a people, giants; and we will surely not enter therein until they go out from thence; but if they go out then we will enter in.' Then said two men of those who fear,—God had been gracious to them both,—'Enter ye upon them by the door, and when ye have entered it, verily, ye shall be victorious; and upon God do ye rely if ye be believers.' They said, 'O Moses! we shall never enter it so long as they are

therein; so, go thou and thy Lord and fight ye twain; verily, we will sit down here.' Said he, 'My Lord, verily, I can control only myself and my brother; therefore part us from these sinful people.' He said, 'Then, verily, it is forbidden them; for forty years shall they wander about in the earth; so vex not thyself for the sinful people.'

[30] Recite to them them the story of the two sons of Adam; truly when they offered an offering and it was accepted from one of them, and was not accepted from the other, that one said, 'I will surely kill thee;' he said, 'God only accepts from those who fear. If thou dost stretch forth to me thine hand to kill me, I will not stretch forth mine hand to kill thee; verily, I fear God the Lord of the worlds; verily, I wish that thou mayest draw upon thee my sin and thy sin, and be of the fellows of the Fire, for that is the reward of the unjust.' But his soul allowed him to slay his brother, and he slew him, and in the morning he was of those who lose. And God sent a crow to scratch in the earth and show him how he might hide his brother's shame, he said, 'Alas, for me! Am I too helpless to become like this crow and hide my brother's shame?' and in the morning he was of those who did repent.

[35] For this cause have we prescribed to the children of Israel that whoso kills a soul, unless it be for another soul or for violence in the land, it is as though he had killed men altogether; but whoso saves one, it is as though he saved men altogether.

Our apostles came to them with manifest signs; then, verily, many of them did after that commit excesses in the earth.

The reward of those who make war against God and His Apostle, and strive after violence in the earth, is only that they shall be slaughtered or crucified, or their hands cut off and their feet on alternate sides, or that they shall be banished from the land;—that is a disgrace for them in this world, and for them in the next is mighty woe; save for those who repent before ye have them in your power, for know ye that God is forgiving, merciful.

O ye who believe! fear God and crave the means to approach Him, and be strenuous in His way, haply ye will prosper then.

[40] Verily, those who disbelieve, even though they had what is in the earth, all of it, and the like thereof with it, to offer as a ransom from the punishment of the resurrection day, it would not be accepted from them; but for them is grievous woe. They may wish to go forth from the Fire, but they shall not go forth therefrom, for them is lasting woe.

The man thief and the woman thief, cut off the hands of both as a punishment, for that they have erred; an example from God, for God is mighty, wise.

But whoso turns again after his injustice and acts aright, verily, God will turn to him, for, verily, God is forgiving, merciful.

Do ye not know that God, His is the kingdom of the heavens and the earth; He punishes whom He pleases, and forgives whom He pleases, for God is mighty over all?

[45] O thou Apostle! let not those grieve thee who vie in misbelief; or those who say with their mouths 'We believe,' but their hearts do not believe; or of those who are Jews, listeners to a lie,—listeners to other people, but who come not to thee. They pervert the words from their places and say, 'If this is what ye are given, take it; but if ye are not given it, then beware!' but he whom God wishes to mislead, thou canst do nothing with God for him; these are those whose hearts God wishes not to purify, for them in this world is disgrace, and for them in the next is mighty woe,—listeners to a lie, eaters of unlawful things!

But if they come to thee, then judge between them or turn aside from them; but if thou turnest aside from them they shall not harm thee at all, but if thou judgest, then judge between them with justice, verily, God loves the just. But how should they make thee their judge, when they have the law wherein is God's judgment? Yet they turn back after that, for they do not believe.

Verily, we have revealed the law in which is guidance and light; the prophets who were resigned did judge thereby those who were Jews, as did the masters and doctors by what they remembered of the Book of God and by what they were witnesses of. Fear not men, but fear me, and sell not my signs for a little price; for whoso will not judge by what God has revealed, these be the misbelievers. We have prescribed for thee therein 'a life for a life, and an eye for an eye, and a nose for a nose, and an ear for an ear, and a tooth for a tooth, and for wounds retaliation;' but whoso remits it, it is an expiation for him, but he whoso will not judge by what God has revealed, these be the unjust.

[50] And we followed up the footsteps of these (prophets) with Jesus the son of Mary, confirming that which was before him and the law, and we brought him the gospel, wherein is guidance and light, verifying what was before it of the law, and a guidance and an admonition unto those who fear.

Then let the people of the gospel judge by that which is revealed therein, for whoso will not judge by what God has revealed, these be the evildoers.

We have revealed to thee the Book in truth verifying what was before it, and preserving it; judge then between them by what God has revealed, and follow not their lusts, turning away from what is given to thee of the truth.

For each one of you have we made a law and a pathway; and had God pleased He would have made you one nation, but He will surely try you concerning that which He has brought you. Be ye therefore emulous in good deeds; to God is your return altogether, and He will let you know concerning that wherein ye do dispute.

Wherefore judge thou between them by what God has revealed, and follow not their lusts; but beware lest they mislead thee from part of what God has revealed to thee; yet if they turn back, then know that God wishes to fall on them for some sins of theirs,—verily, many men are evildoers.

[55] Is it the judgment of the Ignorance they crave? but who is better than God to judge for people who are sure?

O ye who believe! take not the Jews and Christians for your patrons: they are patrons of each other; but whoso amongst you takes them for patrons, verily, he is of them, and, verily, God guides not an unjust people.

Thou wilt see those in whose hearts is a sickness vieing with them; they say, 'We fear lest there befall us a reverse.' It may be God will give the victory, or an order from Himself, and they may awake repenting of what they thought in secret to themselves.

Those who believe say, 'Are these they who swore by God with their most strenuous oath that they were surely with you?'—their works are in vain and they shall wake the losers.

O ye who believe? whoso is turned away from his religion—God will bring (instead) a people whom He loves and who love Him, lowly to believers, lofty to unbelievers, strenuous in the way of God, fearing not the blame of him who blames. That is God's grace! He gives it unto whom He pleases, for God both comprehends and knows.

[60] God only is your patron, and His Apostle and those who believe, who are steadfast in prayer and give alms, bowing down. Whoso taketh as patrons God and His apostles and those who believe;—verily, God's crew, they are victorious!

O ye who believe! take not for patrons those who take your

religion for a jest or a sport, from amongst those who have been given the Book before and the misbelievers; but fear God if ye be believers. Nor those who, when ye call to prayer, take it for a jest and a sport; that is because they are a people who do not understand.

Say, 'O people of the Book! do ye disavow us, for aught but that we believe in God, and what was revealed to us before, and for that most of you are evildoers?'

[65] Say, 'Can I declare unto you something worse than retribution from God?' Whomsoever God has cursed and been wroth with—and he has made of them apes and swine—and who worship *Taghut,* they are in a worse plight and are more erring from the level path. When they come to you they say, 'We believe;' but they entered in with unbelief, and they went out therewith, and God knows best what they did hide.

Thou wilt see many of them vieing in sin and enmity, and in eating unlawful things,—evil is it that they have done. The masters and their doctors prohibit them from speaking sin and eating unlawful things,—evil is what they have performed.

The Jews say, 'God's hand is fettered;' their hands are fettered and they are cursed for what they said; nay! His hands are outspread, He expends how He pleases! and that which has been sent down to thee from thy Lord will surely increase many of them in their rebellion and misbelief, for we have cast amongst them enmity and hatred till the resurrection day. Whenever they light a fire for war, God puts it out; they strive for corruption in the earth, but God loves not the corrupt.

[70] But did the people of the Book believe and fear, we would cover their offences, and we would make them enter into gardens of pleasure; and were they steadfast in the law and the gospel, and what has been sent down to them from their Lord, they should eat from above them and below them. Amongst them are a nation who are moderate, but many of them—bad is what they do.

O thou Apostle! preach what has been revealed to thee from thy Lord; if thou do it not thou hast not preached His message, and God will not hold thee free from men; for God guides not people who misbelieve.

Say, 'O people of the Book! ye rest on naught until ye stand fast by the law and the gospel, and what is revealed to you from your Lord.' But what has been revealed to thee from thy Lord will of a surety increase many of them in rebellion and misbelief, vex not thyself

then for a people who misbelieve.

Verily, those who believe and those who are Jews, and the Sabæans, and the Christians, whosoever believes in God and the last day, and does what is right, there is no fear for them, nor shall they grieve.

We took a compact of the children of Israel, and we sent to them apostles; every time there came to them an apostle with what their souls loved not, a part of them they did call liars and a part of them they slew.

[75] And they reckoned that there would be no disturbance; but they were blind and deaf! and then God turned again towards them: and then many amongst them were blind and deaf! but God saw what they did.

They misbelieve who say, 'Verily, God is the Messiah the son of Mary;' but the Messiah said, 'O children of Israel! worship God, my Lord and your Lord;' verily, he who associates aught with God, God hath forbidden him Paradise, and his resort is the Fire, and the unjust shall have none to help them.

They misbelieve who say, 'Verily, God is the third of three;' for there is no God but one, and if they do not desist from what they say, there shall touch those who misbelieve amongst them grievous woe.

Will they not turn again towards God and ask pardon of Him? for God is forgiving and merciful.

The Messiah the son of Mary is only a prophet: prophets before him have passed away; and his mother was a confessor; they used both to eat food.—See how we explain to them the signs, yet see how they turn aside!

[80] Say, 'Will ye serve, other than God, what can neither hurt you nor profit you?' but God, He both hears and knows.

Say, 'O people of the Book! exceed not the truth in your religion, and follow not the lusts of a people who have erred before, and who lead many astray, and who go away from the level path.'

Those of the children of Israel who disbelieved were cursed by the tongue of David and Jesus the son of Mary; that is because they rebelled and did transgress; they would not desist from the wrong they did; evil is that which they did. Thou wilt see many of them taking those who believe for their patrons; evil is that which their souls have sent before them, for God's wrath is on them, and in the torment shall they dwell for aye. But had they believed in God and the prophet, and what was revealed to him, they had not taken these for their patrons; but many of them are evildoers.

[85] Thou wilt surely find that the strongest in enmity against those who believe are the Jews and the idolaters; and thou wilt find the nearest in love to those who believe to be those who say, 'We are Christians;' that is because there are amongst them priests and monks, and because they are not proud.

And when they hear what has been revealed to the prophet, you will see their eyes gush with tears at what they recognise as truth herein; and they will say, 'O our Lord! we believe, so write us down amongst the witnesses. Why should we not believe in God and the truth that is given to us, nor desire that our Lord should make us enter with the upright people?'

Therefore has God rewarded them, for what they said, with gardens beneath which rivers flow, to dwell therein for aye; that is the reward of those who do good; but those who disbelieve and say our signs are lies, they are the fellows of hell.

O ye who believe! forbid not the good things which God has made lawful for you, nor transgress; verily, God loves not the transgressors.

[90] But eat of what God has provided you lawfully of good things; and fear God, in whom ye believe.

God will not catch you up for a casual word in your oaths, but He will catch you up for having what ye make deliberate oaths about; and the expiation thereof is to feed ten poor men with the middling food ye feed your families, withal, or to clothe them, or to free a neck; but he who has not the means, then let him fast three days. That is the expiation of your oaths, when ye have sworn to keep your oaths; thus does God explain to you His signs,—haply ye may be grateful.

O ye who believe! verily, wine, and el mâisar, and statues, and divining (arrows) are only an abomination of Satan's work; avoid them then that haply ye may prosper. Satan only desires to place enmity and hatred between you by wine and mâisar, and to turn you from the remembrance of God and from prayer; but will ye desist, and obey God, and obey the apostles, and beware, for if ye turn back then know that our Apostle has only his message to preach?

There is no crime in those who believe and do right, for having tasted food, when they fear God, and believe, and do what is right, and then fear Him, and believe, and then fear, and do good, for God loves those who do good.

[95] O ye who believe! God will try you with something of the game that your hands and your lances take, that God may know

who fears Him in secret; and whoso transgresses after that, for him is grievous woe.

O ye who believe! kill not game while ye are on pilgrimage. But he amongst you who kills it purposely, his compensation is the like of that which he has killed, in sheep—of which two equitable persons amongst you shall be judge—an offering brought to the Kaabah; or as an expiation, the food of poor persons, or an equivalent thereof in fasting, that he may taste the evil result of his deed. God pardons bygones; but whoso returns, God will take vengeance on him, for God is mighty and the avenger.

Lawful for you is the game of the sea, and to eat thereof; a provision for you and for travellers; but forbidden you is the game of the land while ye are on pilgrimage; so fear God to whom ye shall be gathered.

God has made the Kaabah, the sacred House, to be a station for men, and the sacred month, and the offering and its neck garland; this is that ye may know that God knows what is in the heavens and what is in the earth, and that God knows all things. Know that God is keen to punish, but that God is forgiving, merciful.

The Apostle has only to preach his message, but God knows what ye show and what ye hide.

[100] Say, 'The vile shall not be deemed equal with the good, although the abundance of the vile please thee.' Fear God then, O ye who have minds! haply ye may prosper.

O ye who believe! ask not about things which if they be shown to you will pain you; but if ye ask about them when the (whole) Qur'ân is revealed, they shall be shown to you. God pardons that, for God is forgiving and clement. People before you have asked about that, yet on the morrow did they disbelieve therein.

And God has not ordained any Ba'hirah or Sâibah, nor Wazilah nor 'Hâmi, but those who misbelieve invent a lie against God, for most of them do not understand.

And when it is said to them, 'Come round,' to say, Enough for us is what we found our fathers agreed upon.' What! though their fathers knew nothing and were not guided.

O ye who believe! mind yourselves; he who errs can do you no hurt when ye are guided: unto God is your return altogether, and He will declare to you that which ye do not know.

[105] O ye who believe! let there be a testimony between you when any one of you is on the point of death—at the time he makes

his will—two equitable persons from amongst you; or two others from some other folk, if ye be knocking about in the land, and the calamity of death befall you; ye shall shut them both up after prayer, and they shall both swear by God, if ye doubt them, (saying), 'We will not sell (our testimony) for a price, though it were to a relative, nor will we hide God's testimony, verily, then, we should be among sinners.' But if it shall be lit upon that they too have deserved the imputation of sin, then let two others stand up in the place with those who think them deserving of the imputation, the nearest two in kin, and they shall both swear by God, 'Indeed, our testimony is truer than the testimony of those two, and we have not transgressed, for then we should surely be of the unjust;' thus is it easier for men to bear testimony according to the purport thereof, else must they fear lest an oath be given to rebut their own oath; but let them fear God and listen, for God guides not the people who do ill.

On the day when God shall assemble the apostles and shall say, 'How were ye answered?' they will say, 'We have no knowledge; verily, thou art He who knoweth the unseen.'

When God said, 'O Jesus, son of Mary! remember my favours towards thee and towards thy mother, when I aided thee with the Holy Ghost, till thou didst speak to men in the cradle and when grown up.

[110] 'And when I taught thee the Book and wisdom and the law and the gospel; when thou didst create of clay, as it were, the likeness of a bird, by my power, and didst blow thereon, it became a bird; and thou didst heal the blind from birth, and the leprous by my permission; and when thou didst bring forth the dead by my permission; and when I did ward off the children of Israel from thee, when thou didst come to them with manifest signs, and those who misbelieved amongst them said, "This is naught but obvious magic."

'And when I inspired the apostles that they should believe in him and in my Apostle, they said, "We believe; do thou bear witness that we are resigned.' "

When the apostles said, 'O Jesus, son of Mary! is thy Lord able to send down to us a table from heaven?' he said, 'Fear God, if ye be believers;' and they said, 'We desire to eat therefrom that our hearts may be at rest, and that we may know that what thou hast told us is the truth, and that we may be thereby amongst the witnesses.' Said Jesus the son of Mary, 'O God, our Lord! send down to us a table from heaven to be to us as a festival,—to the first of us and to

the last, and a sign from Thee,—and grant us provision, for Thou art the best of providers.

[115] God said, 'Verily, I am about to send it down to you; but whoso disbelieves amongst you after that, verily, I will torment him with the torment which I have not tormented any one with in all the worlds.'

And when God said, 'O Jesus, son of Mary! is it thou who didst say to men, take me and my mother for two gods, beside God?' He said, 'I celebrate Thy praise! what ails me that I should say what I have no right to? If I had said it, Thou wouldst have known it; Thou knowest what is in my soul, but I know not what is in Thy soul; verily, Thou art one who knoweth the unseen. I never told them save what Thou didst bid me,—"Worship God, my Lord and your Lord," and I was a witness against them so long as I was amongst them; but when Thou didst take me away to thyself Thou wert the watcher over them, for Thou art witness over all. If Thou shouldst punish them, verily, they are Thy servants; if Thou should forgive them, verily, Thou art the mighty and the wise.' God said, 'This is the day when their confession shall profit the confessors, for them are gardens beneath which rivers flow, to dwell therein for ever and for aye.'

God is well pleased with them, and they well pleased with Him; that is the mighty happiness.

[120] God's is the kingdom of the heavens, and the earth, and all that is therein, and He is mighty over all.

The Chapter of the Spoils
(VIII. MEDINAH)

In the name of the merciful and compassionate God.

They will ask thee about the spoils. Say, 'The spoils are God's and the Apostle's; fear God and settle it amongst yourselves; obey God and the Apostle if ye do believe.'

Verily, the believers are those who, when God's name is mentioned, their hearts sink with fear; and when His signs are rehearsed to them they increase them in faith; and on their Lord do they rely; who are steadfast in prayer, and of what we have bestowed upon them give in alms; these are in truth believers; to them are degrees with their Lord, and forgiveness, and a generous provision.

[5] As they Lord caused thee to go forth from thy house with the truth, although a sect of the believers were averse therefrom. They wrangled with thee about the truth after it was made plain, as though

they were being driven on to death and looked thereon; and when God promised you that one of the two troops should be yours, and ye would fain have had those who had no arms. God wished to prove the truth true by His words, and to cut off the hindermost parts of those who misbelieve—to prove the truth true, and to make vain the vain, although the sinners are averse.

When ye asked for succour from your Lord, and He answered you, 'I will assist you with a thousand angels, with others in reserve.'

[10] God made it only glad tidings to quiet your hearts therewith; for victory is only from God! verily, God is mighty and wise.

When drowsiness covered you as a security from Him, and He sent down upon you from the heavens water to purify you withal, and to take away from you the plague of Satan, and to tie up your hearts and to make firm your footsteps.

When your Lord inspired the angels—'Verily, I am with you; make ye firm then those who believe; I will cast dread into the hearts of those who misbelieve,—strike off their necks then, and strike off from them every finger tip.'

That is, because they went into opposition against God and His Apostle; for he who goes into opposition against God and His Apostle—verily, God is keen to punish.

There, taste it! since for the misbelievers is the torment of the Fire.

[15] O ye who believe! when ye meet those who misbelieve in swarms, turn not to them your hinder parts; for he who turns to them that day his hinder parts, save turning to fight or rallying to a troop, brings down upon himself wrath from God, and his resort is hell, and an ill journey shall it be!

Ye did not slay them, but it was God who slew them; nor didst thou shoot when thou didst shoot, but God did shoot, to try the believers from Himself with a goodly trial; verily, God weakens the stratagem of the misbelievers.

If ye wish the matter to be decided, a decision has now come to you; but if ye desist, it is better for you; and if ye turn back we will turn too, and your troop shall avail nothing, great in number though it be, since God is with the believers!

[40] Fight them then that there should be no sedition, and that the religion may be wholly God's; but if they desist, then God on what they do doth look. But if they turn their backs, then know that God is your Lord; a good Lord is He, and a good help; and know that

whenever ye seize anything as a spoil, to God belongs a fifth thereof, and to His Apostle, and to kindred and orphans, and the poor and the wayfarer; if ye believe in God and what we have revealed unto our servants on the day of the discrimination,—the day when the two parties met, and God is mighty over all. When ye yourselves were on the near side of the valley, and they were on the far side, and the camels were below you; had ye made an appointment then ye would have failed to keep your appointment—but it was that God might accomplish a thing that was as good as done! that he who was to perish might perish with a manifest sign; and that he who was to live might live with a manifest sign; for, verily, God hears and knows!

The Chapter of Repentance or Immunity
(ix. medinah)

An immunity from God and His Apostle to those idolaters with whom ye have made a league.

Roam ye at large in the land for four months, but know that ye cannot make God helpless, and that God disgraces the misbelievers.

A proclamation from God and His Apostle to the people on the day of the greater pilgrimage, that God is clear of the idolaters as is His Apostle! If then ye repent it is better for you; but if ye turn your backs, then know that ye cannot make God helpless. Give to those who misbelieve glad tidings of grievous woe!—Except to those of the idolaters with whom ye have made a league, and who then have not failed you at all, and have not backed up any one against you. Fulfil for them then your covenant until the time agreed upon with them; verily, God loves those who fear.

[5] But when the sacred months are passed away, kill the idolaters wherever ye may find them; and take them, and besiege them, and lie in wait for them in every place of observation; but if they repent, and are steadfast in prayer, and give alms, then let them go their way; verily, God is forgiving and merciful.

And if any one of the idolaters ask thee for aid, then aid him, in order that he may hear the word of God; then let him reach his place of safety,—that is, because they are a folk who do not know.

How can there be for the idolaters a treaty with God and with His Apostle, save those with whom ye have made a league at the Sacred Mosque! Then while they stand by you, stand ye by them; verily, God loves those who fear.

How!—if they prevail against you, they will not observe either

ties of blood or ties of clientship; they please you with their mouths, but their hearts refuse; and most of them do work abomination. They barter God's signs for a little price, and they turn folk from His way; verily, they—evil is that which they have done.

[10] They will not observe in a believer ties of kindred nor ties of clientship; but they it is are the transgressors.

But if they repent and are steadfast in prayer and give alms, then they are your brethren in religion—we detail the signs unto a people that do know.

[10] They will not observe in a believer ties of kindred nor ties of clientship; but they it is are the transgressors.

But if they break faith with you after their treaty, and taunt your religion, then fight the leaders of misbelief; verily, they have no faith haply they may desist.

Will ye not fight a people who broke their oaths, and intended to expel the Apostle? They began with you at first, are ye afraid of them? God is more deserving that ye should fear Him! If ye be believers, kill them! God will torment them by your hands, and disgrace them, and aid you against them, and heal the breasts of a people who believe; [15] and will remove rage from their hearts; for God turns unto Him whomsoever He pleases, and God is knowing, wise!

Did ye reckon that ye would be left, when God knows not as yet those of you who fought strenuously, and who did not take other than God and His Apostle, and the believers for an intimate friend? for God is well aware of what ye do. It is not for idolaters to repair to the mosques of God, bearing witness against themselves to unbelief; they it is whose works are vain, and in the Fire shall they dwell for aye!

He only shall repair to the mosques of God who believes in God and the last day, and is steadfast in prayer, and gives the alms, and fears only God;—it may be that these will be of those who are guided.

Have ye made out the giving drink to the pilgrims and the repairing to the Sacred Mosque to be like being one who believes in God and in the last day, and is strenuous in the way of God?—they are not equal in God's sight, and God guides not an unjust people.

[20] Those who believe and who have fled and been strenuous in the way of God, with their wealth and with their persons, are highest in rank with God, and these it is who are happy. Their Lord gives them glad tidings of mercy from Himself, and good-will; and gardens shall they have therein and lasting pleasure, to dwell therein

for aye! Verily, God, with Him is mighty here.

O ye who believe! take not your fathers and your brothers for patrons if they love misbelief rather than faith; for whosoever amongst you takes them for patrons these are the unjust.

Say, 'If your fathers, and your sons, and your brethren, and your clansmen, and the wealth which ye have gained, and the merchandise which ye fear may be slack, and the dwellings which ye love are dearer to you than God and His Apostle, and than fighting strenuously in His way,—then wait awhile, until God brings His bidding, for God guides not a people who work abomination!'

The Chapter of the Night
(xvii. mecca)

Put not with God other gods, or thou wilt sit despised and forsaken.

Thy Lord has decreed that ye shall not serve other than Him; and kindness to one's parents, whether one or both of them reach old age with thee; and say not to them, 'Fie!' and do not grumble at them, but speak to them a generous speech. [25] And lower to them the wing of humility out of compassion, and say, 'O Lord! have compassion on them as they brought me up when I was little!' Your Lord knows best what is in your souls if ye be righteous, and, verily, He is forgiving unto those who come back penitent.

And give thy kinsman his due and the poor and the son of the road; and waste not wastefully, for the wasteful were ever the devil's brothers; and the devil is ever ungrateful to his Lord.

[30] But if thou dost turn away from them to seek after mercy from thy Lord, which thou hopest for, then speak to them an easy speech.

Make not thy hand fettered to thy neck, nor yet spread it out quite open, lest thou shouldst have to sit down blamed and straitened in means. Verily, thy Lord spreads out provision to whomsoever He will or He doles it out. Verily, He is ever well aware of and sees His servants.

And slay not your children for fear of poverty; we will provide for them; beware! for to slay them is ever a great sin!

And draw not near to fornication; verily, it is ever an abomination, and evil is the way thereof.

[35] And slay not the soul that God has forbidden you, except for just cause; for he who is slain unjustly we have given his next of

kin authority; yet let him not exceed in slaying; verily, he is ever helped.

And draw not near to the wealth of the orphan, save to improve it, until he reaches the age of puberty, and fulfil your compacts; verily, a compact is ever enquired of.

And give full measure when ye measure out, and weigh with a right balance; that is better and a fairer determination.

And do not pursue that of which thou hast no knowledge; verily, the hearing, the sight, and the heart, all of these shall be enquired of.

And walk not on the earth proudly; verily, thou canst not cleave the earth, and thou shalt not reach the mountains in height.

Verily, God will defend those who believe; verily, God loves not any misbelieving traitor.

[40] Permission is given to those who fight because they have been wronged,—and, verily, God to help them has the might,—who have been driven forth from their homes undeservedly, only for that they said, 'Our Lord is God;' and were it not for God's repelling some men with others, cloisters and churches and synagogues and mosques, wherein God's name is mentioned much, would be destroyed. But God will surely help him who helps Him; verily, God is powerful, mighty.

Who, if we establish them in the earth, are steadfast in prayer, and give alms, and bid what is right, and forbid what is wrong; and God's is the future of affairs.

But if they call thee liar, the people of Noah called him liar before them, as did 'Ad and Thamud, and the people of Abraham, and the people of Lot, and the fellows of Midian; and Moses was called a liar too: but I let the misbelievers range at large, and then I seized on them, and how great was the change!

The Chapter of Q.

(L. MECCA)

In the name of the merciful and compassionate God.

Q. By the glorious Qur'ân! nay, they wonder that there has come to them a warner from amongst themselves; and the misbelievers say, 'This is a wondrous thing! What, when we are dead and have become dust?—that is a remote return!'

We well know what the earth consumes of them, for with us is a book that keeps (account).

[5] Nay, they call the truth a lie when it comes to them, and

they are in a confused affair.

Do not they behold the heaven above them, how we have built it and adorned it, and how it has no flaws?

And the earth, we have stretched it out and thrown thereon firm mountains, and caused to grow thereon every beautiful kind.

An insight and a reminder to every servant who repents!

And we sent down from the heaven water as a blessing, and caused to grow therewith gardens and the harvest grain!

[10] And the tall palm trees having piled up spathes, for a provision to (our) servants; and we quickened thereby a dead land; thus shall the resurrection be!

Before them the people of Noah and the fellows of ar Rass and Thamud and 'Ad and Pharoah called the apostles liars; and the brethren of Lot and the fellows of the Grove and the people of Tubbâ'h all called the prophets liars, and the threat was duly executed.

Were we then fatigued with the first creation? nay! but they are in obscurity concerning the new creation.

[15] But we created man, and we know what his soul whispers; for we are nigher to him than his jugular vein!

When the two meeters meet, sitting the one on the right and the other on the left, not a word does he utter, but a watcher is by him ready!

And the agony of death shall come in truth!—'that is what thou didst shun!'

And the trumpet shall be blown!—that is the threatened day!

[20] And every soul shall come—with it a driver and a witness!

'Thou wert heedless of this, and we withdrew thy veil from thee, and to-day is thine eyesight keen!'

And his mate shall say, 'This is what is ready for me (to attest).

'Throw into hell every stubborn misbeliever!—who forbids good, a transgressor, a doubter! [25] who sets other gods with God—and throw him, ye twain, into fierce torment!'

His mate shall say, 'Our Lord! I seduced him not, but he was in a remote error.'

He shall say, 'Wrangle not before me; for I sent the threat to you before. The sentence is not changed with me, nor am I unjust to my servants.'

On the day we will say to hell, 'Art thou full?' and it will say, 'Are there any more?'

[30] And Paradise shall be brought near to the pious,—not far off.

This is what ye are promised, to every one who turns frequently (to God) and keeps His commandments: who fears the Merciful in secret and brings a repentant heart.

'Enter into it in peace: this is the day of eternity.'

They shall have what they wish therein, and increase from us!

[35] How many a generation have we destroyed before them, mightier than they in prowess!

Pass through the land, is there any refuge? Verily, in that is a reminder to whomsoever has a heart, or gives ear, and is a witness thereto.

We did create the heavens and the earth and what is between the two in six days, and no weariness touched us.

Be thou patient then of what they say, and celebrate the praises of thy Lord before the rising of the sun and before the setting. And through (some) of the night celebrate His praise and the additional adorations.

[40] And listen for the day when the crier shall cry from a near place;—the day when they shall hear the shout in truth—that is the day of coming forth!

Verily, we quicken and we kill, and unto us the journey is!

On the day when the earth shall be cleft asunder from them swiftly;—that is a gathering together which is easy to us!

We know what they say; nor art thou over them one to compel.

[45] Wherefore remind, by the Qur'ân, him who fears the threat.

The Chapter of the Inevitable.

(LVI. MECCA)

In the name of the merciful and compassionate God.

When the inevitable happens; none shall call its happening a lie!—abasing—exalting!

When the earth shall quake, quaking! [5] and the mountains shall crumble, crumbling, and become like motes dispersed!

And ye shall be three sorts;

And the fellows of the right hand—what right lucky fellows!

And the fellows of the left hand—what unlucky fellows!

[10] And the foremost foremost!

These are they who are brought nigh,

In gardens of pleasure!
A crowd of those of yore,
And a few of those of the latter day!
[15] And gold-weft couches, reclining on them face to face.
Around them shall go eternal youths, with goblets and ewers and a cup of flowing wine; no headache shall they feel therefrom, nor shall their wits be dimmed!
[20] And fruits such as they deem the best;
And flesh of fowl as they desire;
And bright and large-eyed maids like hidden pearls;
A reward for that which they have done!
They shall hear no folly there and no sin;
[25] Only the speech, 'Peace, Peace!'
And the fellows of the right—what right lucky fellows!
Amid thornless lote trees.
And tal'h trees with piles of fruit;
And outspread shade,
[30] And water out-poured;
And fruit in abundance, neither failing nor forbidden;
And beds upraised!
Verily, we have proclaimed them a production.
[35] And made them virgins, darlings of equal age (with their spouses) for the fellows of the right!
A crowd of those of yore, and a crowd of those of the latter day!
[40] And the fellows of the left—what unlucky fellows!
In hot blasts and boiling water;
And a shade of pitchy smoke,
Neither cool nor generous!
Verily, they were affluent ere this, [45] and did persist in mighty crime; and used to say, 'What, when we die and have become dust and bones, shall we then indeed be raised? or our fathers of yore?'
Say, 'Verily, those of yore and those of the latter day [50] shall surely be gathered together unto the tryst of the well-known day.'
Then ye, O ye who err! who say it is a lie! shall eat of the Zaqqum tree! and fill your bellies with it! and drink thereon of boiling water! [55] and drink as drinks the thirsty camel.
This is their entertainment on the judgment day!
We created you, then why do ye not credit.
Have ye considered what ye emit?

Do ye create it, or are we the creators?

[60] We have decreed amongst you death; but we are not forestalled from making the like of you in exchange, or producing you as ye know not of.

Ye do know the first production—why then do ye not mind?

Have ye considered what ye till?

Do ye make it bear seed, or do we make it bear seed?

[65] If we pleased we could make it mere grit, so that ye would pause to marvel:

'Verily, we have got into death and we are excluded.'

Have ye considered the water which ye drink?

Do ye make it come down from the clouds, or do we make it come down?

If we pleased we could make it pungent—why then do ye not give thanks?

[70] Have ye considered the fire which ye strike?

Do ye produce the tree that gives it, or do we produce it?

We have made it a memorial and a chattel for the traveller of the waste?

Then celebrate the grand name of thy Lord!

So I will not swear by the positions of the stars; [75] and, verily, it is a grand oath if ye did but know—that, verily, this is the honourable Qur'ân—in the laid-up Book!

Let none touch it but the purified!

A revelation from the Lord of the worlds.

[80] What! this new discourse will ye despise?

And make for your provision, that you call it a lie?

Why then—when it comes up to the throat, and ye at that time look on, though we are nearer to him than you are, but ye cannot see.—[85] why, if ye are not to be judged, do ye not send it back, if ye do tell the truth?

But either, if he be of those brought nigh to God,—then rest and fragrance and the garden of pleasure!

Or, if he be of the fellows of the right! [90] then 'Peace to thee!' from the fellows of the right!

Or, if he be of those who say it is a lie,—who err! then an entertainment of boiling water! and broiling in hell!

[95] Verily, this is surely certain truth!

So celebrate the grand name of thy Lord!

The Chapter of Iron
(lvii. mecca)

In the name of the merciful and compassionate God.

Whatever is in the heavens and the earth celebrates the praises of God, for He is the mighty, the wise!

His is the kingdom of the heavens and the earth: He quickens and He kills, and He is mighty over all!

He is the first and the last; and the outer and the inner; and He all things doth know!

He it is who created the heavens and the earth in six days, then He made for the throne; and He knows what goes into the earth and what goes forth therefrom, and what comes down from the sky and what goes up therein, and He is with you wheresoe'er ye be: for God on what ye do doth look!

[5] His is the kingdom of the heavens and the earth, and unto God affairs return. He makes the night succeed the day and makes the day succeed the night; and He knows the nature of men's breasts.

Believe in God and His Apostles, and give alms of what He has made you successors of. For those amongst you who believe and give alms—for them is mighty hire.

What ails you that ye do not believe in God and His Apostle? He calls on you to believe in your Lord; and He has taken a compact from you, if ye be believers.

He it is who sends down upon His servants manifest signs, to bring you forth from the darkness into the light; for, verily, God to you is kind, compassionate!

[10] What ails you that ye give not alms in God's cause? for God's is the inheritance of the heavens and the earth. Not alike amongst you is he who gives alms before the victory and fights,—they are grander in rank than those who give alms afterwards and fight. But to all does God promise good; and God of what ye do is well aware!

Who is there who will lend a good loan to God? for He will double it for him, and for him is a generous reward.

On the day when thou shalt see believers, men and women, with their light running on before them and on their right hand,—'Glad tidings for you to-day.—Gardens beneath which rivers flow, to dwell therein for aye; that is the grand bliss!'

On the day when the hypocrites, men and women, shall say to

those who believe, 'Wait for us that we may kindle at your light,' it will be said, 'Get ye back, and beg a light.' And there shall be struck out between them a wall with a door; within it shall be mercy, and outside before it torment. They shall cry out to them, 'We were not with you!' they shall say, 'Yea, but ye did tempt yourselves, and did wait, and did doubt; and your vain hopes beguiled you; and the beguiler beguiled you about God.

'Wherefore to-day there shall not be taken from you a ransom, nor from those who misbelieved. Your resort is the fire; it is your sovereign, and an ill journey will it be!'

[15] Is the time come to those who believe, for their hearts to be humbled at the remembrance of God, and of what He has sent down in truth? and for them not to be like those who were given the Scriptures before, and over whom time was prolonged, but their hearts grew hard, and many of them were workers of abomination?

Know that God quickens the earth after its death!—we have manifested to you the signs; haply ye may have some sense!

Verily, those who give in charity, men and women, who have lent to God a goodly loan,—it shall be doubled for them, and for them is a generous hire.

And those who believe in God and His Apostle, they are the confessors and the martyrs with their Lord; for them is their hire and their light! But those who misbelieve and call our signs lies, they are the fellows of hell!

Know that the life of this world is but a sport, and a play, and an adornment, and something to boast of amongst yourselves; and the multiplying of children is like a rain-growth, its vegetation pleases the misbelievers; then they wither away, and thou mayest see them become yellow; then they become but grit.

But in the hereafter is a severe woe, [20] and forgiveness from God and His goodwill; but the life of this world is but a chattel of guile.

Race towards forgiveness from your Lord and Paradise, whose breadth is as the breadth of the heavens and the earth, prepared for those who believe in God and His apostles! and God's grace, He gives it to whom He pleases, for God is Lord of mighty grace!

No accident befalls in the earth, or in yourselves, but it was in the Book, before we created them; verily, that is easy unto God.

That ye may not vex yourselves for what ye miss, nor be overjoyed at what He gives you; for God loves no arrogant boasters, who

are niggardly and bid men be niggardly: but whoso turns his back verily, God is rich, praiseworthy.

[25] We did send our apostles with manifest signs; and we did send down among you the Book and the balance, that men might stand by justice; and we sent down iron in which is both keen violence and advantages to men; and that God might know who helps Him and His apostles in secret, verily, God is strong and mighty!

And we sent Noah and Abraham; and placed in their seed prophecy and the Book; and some of them are guided, though many of them are workers of abomination!

Then we followed up their footsteps with our apostles; and we followed them up with Jesus the son of Mary; and we gave him the gospel; and we placed in the hearts of those who followed him kindness and compassion.—But monkery, they invented it; we only prescribed to them the craving after the goodwill of God, and they observed it not with due observance. But we gave to those who believe amongst them their hire; though many amongst them were workers of abomination!

O ye who believe! fear God, and believe in His Apostle: He will give you two portions of His mercy, and will make for you a light for you to walk in, and will forgive you; for God is forgiving, compassionate.

That the people of the Book may know that they cannot control aught of God's grace; and that grace is in God's hands, He gives it to whom He will; for God is Lord of mighty grace!

The Chapter of Man
(LXXVI. MECCA)

In the name of the merciful and compassionate God.

Does there not come on man a portion of time when he is nothing worth mentioning?

Verily, we created man from a mingled clot, to try him; and we gave him hearing and sight. Verily, we guided him in the way, whether he be grateful or ungrateful.

Verily, we have prepared for those who misbelieve chains and fetters and a blaze!

[5] Verily, the righteous shall drink of a cup tempered with Kâfur, a spring from which God's servants shall drink and make it gush out as they please!

They who fulfil their vows, and fear a day, the evil which shall

fly abroad, and who give food for His love to the poor and the orphan and the captive. 'We only feed you for God's sake; we desire not from you either reward or thanks; [10] we fear from our Lord a frowning, calamatous day!'

And God will guard them from the evil of that day and will cast on them brightness and joy; and their reward for their patience shall be Paradise and silk! reclining therein upon couches they shall neither see therein sun nor piercing cold; and close down upon them shall be its shadows; and lowered over them its fruits to cull; [15] and they shall be served round with vessels of silver and goblets that are as flagons—flagons of silver which they shall mete out! and they shall drink therein a cup tempered with Zingabil, a spring therein named Silsabil! and there shall go round about them eternal boys; when thou seest them thou wilt think them scattered pearls; [20] and when thou seest them thou shalt see pleasure and a great estate! On them shall be garments of green embroidered satin and brocade! and they shall be adorned with bracelets of silver; and their Lord shall give them to drink pure drink! Verily, this is a reward for you, and your efforts are thanked.

Verily, we have sent down upon thee the Qur'ân. Wherefore wait patiently for the judgment of thy Lord, and obey not any sinner or misbeliever amongst them. [25] But remember the name of thy Lord morning and evening, and through the night, and adore Him, and celebrate His praises the whole night long.

Verily, these love the transitory life, and leave behind them a heavy day!

We created them and strengthened their joints; and if we please we can exchange for the likes of them in their stead. Verily, this is a memorial, and whoso will, let him take unto his Lord a way.

[30] But ye will not please except God please! Verily, God is knowing, wise.

He makes whomsoever He pleases to enter into His mercy; but the unjust He has prepared for them a grievous woe!

The Chapter of those Sent
(lxxvii. mecca)

In the name of the merciful and compassionate God.
By those sent in a series!
And by those who speed swiftly!
And by the dispensers abroad!

And by the separators apart!

[5] And by those who instil the reminder, as an excuse or warning!

Verily, what ye are threatened with shall surely happen!

And when the stars shall be erased!

[10] And when the mountains shall be winnowed!

And when the apostles shall have a time appointed for them!

For what day is the appointment made?

For the day of decision! and what shall make thee know what the decision is?

[15] Woe on that day for those who say it is a lie!

Have we not destroyed those of yore, and then followed them up with those of the latter day? Thus do we with the sinners.

Woe on that day for those who say it is a lie!

[20] Did we not create you from contemptible water, and place it in a sure depository unto a certain decreed term? for we are able and well able too!

Woe on that day for those who say it is a lie!

[25] Have we not made for them the earth to hold the living and the dead? and set thereon firm mountains reared aloft? and given you to drink water in streams?

Woe on that day for those who say it is a lie!

Go off to that which ye did call a lie! [30] Go off to the shadow of three columns, that shall not shade nor avail against the flame! Verily, it throws off sparks like towers,—as though they were yellow camels!

Woe on that day for those who say it is a lie!

[35] This is the day when they may not speak,—when they are not permitted to excuse themselves!

Woe on that day for those who say it is a lie!

This is the day of decision! We have assembled you with those of yore; if ye have any stratagem employ it now!

[40] Woe on that day for those who say it is a lie!

Verily, the pious are amid shades and springs and fruit such as they love.—'Eat and drink with good digestion, for that which ye have done!'

Verily, thus do we reward those who do well.

[45] Woe on that day for those who say it is a lie!

'Eat and enjoy yourselves for a little; verily, ye are sinners!'

Woe on that day for those who say it is a lie!

And when it is said to them bow down, they bow not down.

Woe on that day for those who say it is a lie!
[50] And in what new discourse after it will they believe?

The Chapter of the Information
(lxxviii. mecca)

In the name of the merciful and compassionate God.

Of what do they ask each other?—Of the mighty information whereon they do dispute? nay, they shall know too well! [5] Again, nay, they shall know too well!

Have we not set the earth as a couch, and the mountains as stakes, and created you in pairs, and made your sleep for rest, [10] and made the night a garment, and made the day for livelihood, and built above you seven solid (heavens) and set a burning lamp, and sent down from the rain expressing clouds water pouring forth, [15] to bring out thereby the grain and herb and gardens thickly planted?

Verily, the day of decision is an appointed time; and the day when the trumpet shall be blown, and ye shall come in troops, and the heavens shall be opened, and shall be all doors, [20] and the mountains shall be moved, and shall be like a mirage!

Verily, hell is an ambuscade; a reward for the outrageous, to tarry therein for ages. They shall not taste therein cool nor drink, [25] but only boiling water and pus;—a fit reward!

Verily, they did not hope for the account; but they ever said our signs were lies.

Everything have we remembered in a book.

[30] 'Then taste, for we will only increase your torment!'

Verily, for the pious is a blissful place,—gardens and vineyards, and girls with swelling breasts of the same age as themselves, and a brimming cup; [35] they shall hear therein no folly and no lie;—a reward from thy Lord, a sufficient gift! The Lord of the heavens and the earth, and what is between them both,—the Merciful,—they cannot obtain audience of Him!

The day when the Spirit and the angels shall stand in ranks, they shall not speak save to whom the Merciful permits, and who speaks aright.

That is the true day; and whoso pleases let him take to a resort unto his Lord!

[40] Verily, we have warned you of a torment that is nigh: on a day when man shall see what his two hands have sent forward; and

the misbeliever shall say, 'Would that I were dust!'

The Chapter of the Folding up
(LXXXI. MECCA)

In the name of the merciful and compassionate God.
When the sun is folded up,
And when the stars do fall,
And when the mountains are moved,
And when the she-camels ten months' gone with young shall be neglected,
[5] And when the beasts shall be crowded together,
And when the seas shall surge up,
And when souls shall be paired with bodies,
And when the child who was buried alive shall be asked for what sin she was slain,
[10] And when the pages shall be spread out,
And when the heaven shall be flayed,
And when hell shall be set ablaze,
And when Paradise shall be brought nigh,
The soul shall know what it has produced!
[15] I need not swear by the stars that slink back, moving swiftly, slinking into their dens!
Nor by the night when darkness draws on!
Nor by the morn when it first breathes up!
Verily, it is the speech of a noble apostle, [20] mighty, standing sure with the Lord of the throne, obeyed and trusty too!
Your comrade is not mad; he saw him on the plain horizon, nor does he grudge to communicate the unseen.
[25] Nor is it the speech of a pelted devil.
Then whither do ye go?
It is but a reminder to the worlds, to whomsoever of you pleases to go straight:—but ye will not please, except God, the Lord of the world, should please.

The Chapter of the Overwhelming
(LXXXVIII. MECCA)

In the name of the merciful and compassionate God.
Has there come to thee the story of the overwhelming?
Faces on that day shall be humble, labouring, toiling,—shall broil upon a burning fire; [5] shall be given to drink from a boiling spring!

no food shall they have save from the foul thorn, which shall not fatten nor avail against hunger!

Faces on that day shall be comfortable, content with their past endeavours,—[10] in a lofty garden wherein they shall hear no foolish word; wherein is a flowing fountain; wherein are couches raised on high, and goblets set down, [15] 'and cushions arranged, and carpets spread!

Do they not look then at the camel how she is created?

And at the heaven how it is reared?

And at the mountains how they are set up?

[20] And at the earth how it is spread out?

But remind: thou art only one to remind; thou art not in authority over them; except such as turns his back and misbelieves, for him will God torment with the greatest torment.

[25] Verily, unto us is their return, and, verily, for us is their account!

The Chapter of the Night

(xcii. mecca)

In the name of the merciful and compassionate God.
By the night when it veils!
And the day when it is displayed!
And by what created male and female!
Verily, your efforts are diverse!
[5] But as for him who gives alms and fears God,
And believes in the best,
We will send him easily to ease!
But as for him who is niggardly,
And longs for wealth,
And calls the good a lie,
[10] We will send him easily to difficulty!
And his wealth shall not avail him
When he falls down (into hell)!
Verily, it is for us to guide;
And, verily, ours are the hereafter and the former life!
And I have warned you of a fire that flames!

[15] None shall broil thereon, but the most wretched, who says it is a lie and turns his back.

But the pious shall be kept away from it, he who gives his wealth in alms, and who gives no favour to any one for the sake of reward,

[20] but only craving the face of his Lord most High; in the end he shall be well pleased!

The Chapter of Congealed Blood
(XCVI. MECCA)

In the name of the merciful and compassionate God.

Read, in the name of thy Lord!

Who created man from congealed blood!

Read, for thy Lord is most generous!

[5] Who taught the pen!

Taught man what he did not know!

Nay, verily, man is indeed outrageous at seeing himself get rich!

Verily, unto thy Lord is the return!

Hast thou considered him who forbids [10] a servant when he prays?

Hast thou considered if he were in guidance or bade piety?

Hast thou considered if he said it was a lie, and turned his back?

Did he not know that God can see?

[15] Nay, surely, if he do not desist we will drag him by the forelock!—the lying sinful forelock!

So let him call his counsel: we will call the guards of hell!

Nay, obey him not, but adore and draw nigh!

The Chapter of Power
(XCVII. PLACE OF ORIGIN DOUBTFUL)

In the name of the merciful and compassionate God.

Verily, we sent it down on the Night of Power!

And what shall make thee know what the Night of Power is?—the Night of Power is better than a thousand months!

The angels and the Spirit descend therein, by the permission of their Lord with every bidding.

[5] Peace it is until rising of the dawn!

The Chapter of the Backbiter
(CIV. MECCA)

In the name of the merciful and compassionate God.

Woe to every slanderous backbiter, who collects wealth and counts it.

He thinks that his wealth can immortalize him.

Not so! he shall be hurled into El'Hutamah!

[5] And what shall make thee understand what El'Hutamah is? —the fire of God kindled; which rises above the hearts. Verily, it is an archway over them on long-drawn columns.

THE CHAPTER OF UNITY

(CXII. PLACE OF ORIGIN DOUBTFUL)

In the name of the merciful and compassionate God.
Say, 'He is God alone!
God the Eternal!
He begets not and is not begotten!
Nor is there like unto Him any one!'

TRANSLATION OF E. H. PALMER

ARABIAN THOUGHT

HYPATIA, the daughter of Theon the mathematician and herself a woman of great ability was murdered by a mob of monks at Alexandria in 414 A. D., and from this date until the sixteenth century science was held in servile subjection wherever the Church empire extended, but here and there, especially in Africa and about the library of Alexandria, the knowledge of the ancient thought still lingered on. In A. D. 638 the Mohammedans swept over Egypt and the next year burnt the Alexandrian library, but after the first onset of the conquest they settled down into the permanent inhabitants of the land and became the patrons of the learning that had been preserved by the Nestorian Christians and the Jews. Soon the Arabian schools of Bagdad, Cairo, Salerno, and Cordova became famous throughout the world. Jewish physicians now and then brought a knowledge of medicine and alchemy into Christian countries, and although there was never close enough touch between the Christian and Mohammedan worlds for the lands under the Church to reap the full benefit of Arabian knowledge or even to begin their enlightenment, when the time came for it, at the point where the Mohammedans left off, yet it is certain that the Arabians and the Jews flourishing under them preserved for the world much that would otherwise have been lost, besides themselves making discoveries of importance.

Much of the effort of the period was expended in attempting to make gold out of baser metals, but it must not be forgotten that this alchemy was the forerunner of modern chemistry.

Geber, as we call him, or with a closer approximation to the Arabian, Djafer, was born about 830 A. D. in Mesopotamia. He noted the method of destillation and called the gas arising from the heated substances the spirit of the substance. He discovered that iron, when heated, weighs more than before, found the method of sublimation by heat to drive the mercury out of cinnabar in gaseous form and collected it when cooled. He made the first strong acids, nitric by distilling copperas with salpetre and alum, and sulphuric by distilling alum. Before his time vinegar seems to have been the strongest acid known. He may be said to be the founder of chemistry, although it must be understood that the subject was not put on a scientific basis until the time of Lavoisier.

In their study of the stars the Arabians were too deeply concerned with their supposed influence upon the lives of mortals, and got their astronomy badly mixed up with astrology. In this field they seem to have done little more than to preserve the work of the Greeks from distruction, altough Albategnuis, born about 879 A. D., was able to calculate the year with greater exactness than Ptolemy.

Ben Musa, born about 900 A. D., gave to mathematics one of its greatest boons by introducing the method of calculating by letters, that is, algebra. He also used the Indian numerals, and they were afterward introduced into Christian Europe by Gerbert, afterward Pope Sylvester the Second, who had learned them while a student at Cordova.

Alhazen was born about 1000 A. D. His great work was done in optics. He was the first to teach that we see things because rays of light come from them to the eye, and made as good a guess as has ever been made to explain on what condition we see but one object with the two eyes, saying the images must fall in the corresponding parts of the two retinas. He also noted the refraction of light in passing through water or denser air and used his discovery to show that we see the sun before it really rises above our horizon in the morning and after it sets below it at night. He discovered, too, that convex lenses make objects appear larger. This was the first step toward spectacles and the telescope, but the Turks soon afterwards became the ruling power in the Mohammedan world, and scientific investigation fell under the ban even in Spain and Africa, so that it

remained for others five centuries later to follow his work to its logical conclusion.

Most of the Arabian scientists were physicians, and many of the physicians of the time were Jews. In medicine the doctors kept alive the teachings of Galen, when in northern lands the art was lost amid superstition. We have already mentioned some of their discoveries in allied subjects: in medicine itself, however, they seem to have made little if any advance upon Græco-Roman practice.

Looking back upon the science of the Mohammedans, it will be seen that they laid the first foundations of chemistry, and made important advances in mathematics and optics. Their discoveries never had the influence they should have had upon the course of European civilization, but this was because Europe itself was not enlightened enough to grasp and make use of them. Geber's observation that oxidized iron weighs heavier than before oxidation had to be made over again. So had some of their work in optics, and many of their geographical discoveries. They had rounded Africa long before Vasco da Gama. The composition of gunpowder came into Northern Europe from them. We must never forget that the dark ages in Christian Europe were the bright ones of the Mohammedan world.

In the field of philosophy the Arabs started by adopting the neo-Platonism they found in Egypt, and gradually working back to Aristotle.

Avicenna (Ibn Sina), the son of a Persian Mohammedan, lived between 980 A. D. and 1037 A. D. He was very precocious as a child, and when seventeen was the physician of the King of Bokhara. The king's library was burned, and as he was accused of setting fire to it in order to keep the knowledge it contained secret, he began a wandering life, from which he took service first under Shems ed-Daula, and finally under the Prince of Ispahan, the enemy of the successor of Shems ed-Daula. He wrote many works, notably the Canon, the medical encyclopedia of the age. In philosophy he gave an exposition of Aristotle from the point of view of a mystical neo-Platonist. He believed in the eternity of the universe, the immortality of the soul, and its evolution up to God, and held to the freedom of the will in spite of the fact that he maintained that man's intelligence is the result of his possessing something of the universal active intellect of the world. He wore out his body by debauches extending far into the night, but just before his death he repented of his excesses, and died in the Mohammedan faith.

Avicebron was one of the many Jews that during the Middle Ages lent a lustre to Arabian civilization. He was born in Cordova, Spain, about 1028 A. D. Little is known of his life, but although he died in 1058 A. D. at about the age of thirty, yet he had found time to make himself known both as poet (Ibn Gabriol) and philosopher. In philosophy he was a neo-Platonist, but in tracing the emanation from God down to things he introduces one new idea: below God he places Will, then Original Matter, Form, Intelligence, Soul, and Nature, and makes the Will of God, by the light of which Matter and Form seek God, and which unites them, the cause of the world. The following is his statement of his idea, as taken from the Fountain of Life:—

"Everything that exists tries to evolve higher in the desire of obtaining some of the virtue of the Prime Mover. The closer it is to the Prime Essence, the more readily it attains this object, and the further away the more slowly and with the greater difficulty. This movement of matter and other things is only the desire and love (of a lover) for the mover toward which it moves [*cf.* Aristotle], as for instance, matter rises toward Form, because of its love for the Prime Essence: for matter seeks the light that is in the nature of Will, and this compels matter to desire Will and seek it: in this point Will and matter are harmonious. Hence the desire for the First Mover is an harmony between the First Maker and all substances, because it is in the nature of everything to seek the highest. . . . . All these movements come from the Will; thus all things are kept in motion by the Will, the same as the soul causes rest or motion in the body in accordance with its will. These movements differ in proportion to the distance of things below the Will. Take away this movement-causing character of the Will and it becomes the same as the Prime Essence, but with it, it is different. Thus Will is the painter of forms on a tablet, matter is the tablet. Will unites Form and matter, and diffuses itself throughout all matter as the soul throughout the body. As the power of the sun, radiating its light, yet remains in its rays, and is diffused with them into the air, so the power of the Will is united [to some extent] with the form it impresses on things and enters things with it. Hence, the First Cause is in all things, and there is nothing apart from it. The Will unifies everything by means of Form, and thus we say that Form is the uniter of all things, but Form is really intermediate between Will and matter, taking [the Divine Essence]

from Will and handing it down to matter. Moreover, Will acts without motion nor in time, through its very nature. If the soul and intellect act without loss of time or if light thus diffuses itself, far more so does Will. Creation is produced from the Prime Mover, but is an emanation, such as the flow of water from its fountain; but while water follows after water in time, even though without intermission, creation is entirely without movement or time. The production of Form in matter, as the Form is diffused from the Will, is like the reflection of Form in a mirror."

Averroes (Ibn Rushd) was born at Cordova, Spain, 1126 A. D. He studied the entire circle of the science and thought of the time, and continued to receive high honors from the khalifs until late in life, when the fanatical party came into power, and he was banished to the Jewish town Lacena on the charge of holding views contrary to religion. This was in 1195. In 1197 he was partially restored to honor, but died in 1198 at Marocco. In philosophy he was, like Ibn Sina, a commentator on Aristotle, and, like him, held to the doctrines of the eternity of the universe and the identity of the universal intelligence in man. With Moses Maimonides, who combined Jewish theology with Aristotelian philosophy, Averroes closes the list of the great thinkers of the Arabian civilization. Just as they rose to where they could appreciate the best of Greek philosophy, religious fanaticism put its blight on thought.

MOSES MAIMONIDES

Arabian civilization added only two important ideas to philosophy, one the introduction of the Divine Will as the final cause of the universe by the Jew Avicebron, the other the combination of Jewish theology with the philosophy of Aristotle by the Jew Moses Maimonides.

Moses Maimonides was born at Cordova, 1135 A. D. The invasion of the Mohammedan fanatics from Africa in 1148 A. D. drove the family from Cordova, and eleven years later they are thought to have been compelled to embrace Islam at Fez, though this apostasy is much doubted. Moses spent a number of years in wandering, but

finally settled at Old Cairo, and the last thirty years of his life were lived there, first as jeweller, then doctor, and at last court physician. He died in 1204 A. D.

His great work was done in theology as a commentator on the Old Testament and the Talmud, and in philosophy by combining Jewish theology with the thought of Aristotle. His work is also a good example of the thought of the times. We give below his outline of his proof of God's existence, his analogy between man and the universe, which well illustrates the thought of the period, and his list of the propositions accepted from Aristotle, showing the foundations upon which the scholasticism of the time built.

METHOD FOR PROVING GOD'S EXISTENCE

My proof (of God's existence, as far as I now can explain it in general terms, is as follows. The universe is either eternal or has had a beginning; if it had a beginning, there must necessarily exist a being which caused the beginning; this is clear to common sense; for a thing that has had a beginning, cannot be the cause of its own beginning, another being must have caused it.

The universe was, therefore, created by God. If on the other hand the universe were eternal, it could in various ways be proved that, apart from the things which constitute the universe, there exists a being which is neither body nor a force in a body, and which is one, eternal, not preceded by any cause, and immutable. That being is God. You see that the proofs for the Existence, the Unity and the Incorporeality of God must vary according to the propositions admitted by us. Only in this way we can succeed in obtaining a perfect proof, whether we assume the eternity or the creation of the universe. For this reason you will find in my works on the Talmud, whenever I have to speak of the fundamental principles of our religion, or to prove the existence of God, that I employ arguments which imply the eternity of the universe. I do not believe in that eternity, but I wish to establish the principle of the existence of God by an indisputable proof, and should not like to see this most important principle founded on a basis which every one could shake or attempt to demolish, and which others might consider as not being established at all; especially when I see that the proofs of the philosophers are based on those visible properties of things, which can only be ignored by persons pos-

sessing certain preconceived notions, while the Mutakallemim establish their arguments on propositions which are to such an extent contrary to the actual state of things as to compel these arguers to deny altogether the existence of the laws of nature. When I shall have to treat of the creation, I shall in a special chapter prove my opinion to some extent, and shall attain the same end which every one of the Mutakallemim had in view, yet I shall not contradict the laws of nature, or reject any such part of the Aristotelean theory as has been proved to be correct. Even the most cogent of the proofs offered by the Mutakallemim respecting the act of creation, has only been obtained by reversing the whole order of things and by rejecting everything fully demonstrated by the philosophers. I, however, shall be able to give a similar proof without ignoring the laws of nature and without being forced to contradict facts which have been clearly perceived. I find it necessary to mention to you the general propositions of the Mutakallemim, by which they prove the act of creation, the existence of God, His Unity and His Incorporeality. I intend to explain their method, and also to point out the inferences which are to be drawn from each proposition. After this, I shall describe those theories of the philosophers which are closely connected with our subject, and I shall then explain their method.

Do not ask me to prove in this work the propositions of the philosophers, which I shall briefly mention to you; they form the principal part of Physics and Metaphysics. Nor must you expect that I should repeat the arguments of the Mutakallemim in support of their propositions, with which they wasted their time, with which the time of future generations will likewise be wasted, and on which numerous books have been written. Their propositions, with few exceptions, are contradicted by the visible properties of things, and beset with numerous objections. For this reason they were obliged to write many books and controversial works in defence of their theories, for the refutation of objections, and for the reconciliation of all apparent contradictions, although in realty this object cannot be attained by any sophistical contrivance. As to the propositions of the philosophers which I shall briefly explain, and which are indispensable for the demonstration of the three principles—the Existence, the Unity, and the Incorporeality of God, they will for the greater part be admitted by you as soon as you shall hear them and understand their meaning; whilst in the discussion of other parts reference must be made for their proofs to works on Physics and Metaphysics, and if you direct your atten-

tion to such passages as will be pointed out to you, you will find everything verified that requires verification.

I have already told you that nothing exists except God and this universe, and that there is no other evidence for His Existence but this universe in its entirety and in its several parts. Consequently the universe must be examined as it is; the propositions must be derived from those properties of the universe which are clearly perceived, and hence you must know its visible form and its nature. Then only will you find in the universe evidence for the existence of a being not included therein. I have considered it, therefore, necessary to discuss first in a merely colloquial manner, in the next chapter, the totality of existing things, and to confine our remarks to such as have been fully proved and established beyond all doubt. In subsequent chapters I shall treat of the propositions of the Mutakallemim, and describe the method by which they explain the four fundamental principles. In the chapters which will follow, I propose to expound the propositions of the philosophers and the methods applied by them in verifying those principles. In the last place, I shall explain to you the method applied by me in proving those four principles, as I have stated to you.

A PARALLEL BETWEEN THE UNIVERSE AND MAN

Know that this Universe, in its entirely, is nothing else but one individual being; that is to say, the outermost heavenly sphere, together with all included therein, is as regards individuality beyond all question a single being like Said and Omar. The variety of its substances—I mean the substances of that sphere and all its component parts—is like the variety of the substances of a human being: just as, *e.g.*, Said is one individual, consisting of various solid substances, such as flesh, bones, sinews, of various humours, and of various spiritual elements; in like manner this sphere in its totality is composed of the celestial orbs, the four elements and their combinations; there is no vacuum whatever therein, but the whole space is filled up with matter. Its centre is occupied by the earth, earth is surrounded by water, air encompasses the water, fire envelopes the air, and this again is enveloped by the fifth substance (quintessence). These substances form numerous spheres, one being enclosed within another so that no intermediate empty space, no vacuum, is left. One sphere surrounds and

closely joins the other. All the spheres revolve with constant uniformity, without acceleration or retardation; that is to say, each sphere retains its individual nature as regards its velocity and the peculiarity of its motion; it does not move at one time quicker, at another slower. Compared with each other, however, some of the spheres move with less, others with greater velocity. The outermost, all-encompassing sphere, revolves with the greatest speed; it completes its revolution in one day, and causes every thing to participate in its motion, just as every particle of a thing moves when the entire body is in motion; for all existing beings stand in the same relation to that sphere as a part of a thing stands to the whole. These spheres have not a common centre; the centres of some of them are identical with the centre of the Universe, while those of the rest are different from it. Some of the spheres have a motion independent of that of the whole Universe, constantly revolving from East to West, while other spheres move from West to East. The stars contained in those spheres are part of their respective orbits; they are fixed in them, and have no motion of their own, but participating in the motion of the sphere of which they are a part, they themselves appear to move. The entire substance of this revolving fifth element is unlike the substance of those bodies which consist of the other four elements, and are enclosed by the fifth element.

The number of these spheres encompassing the Universe cannot possibly be less than eighteen; it may even be larger; but this is a matter for further investigation. It also remains an open question whether there are spheres which, without moving round the centre of the Universe, have nevertheless a circular motion. Within that sphere which is the nearest to us, a substance is contained which is different from the substance of the fifth element; it first received four primary forms, and then became in those four forms, four kinds of matter: earth, water, air, fire. Each of the four elements occupies a certain position of its own assigned to it by nature; it is not found in another place, so long as no other but its own natural force acts upon it; it is a dead body; it has no life, no perception, no spontaneous motion, and remains at rest in its natural place. When moved from its place by some external force, it returns towards its natural place as soon as that force ceases to operate. For the elements have the property of moving back to their place in a straight line, but they have no properties which would cause them to remain where they are, or to move otherwise than in a straight line. The rectilinear motions

of these four elements when returning to their original place are of two kinds, either centrifugal, *viz.*, the motion of the air and the fire; or centripetal, *viz.*, the motion of the earth, and the water; and when the elements have reached their original place, they remain at rest.

The spherical bodies, on the other hand, have life, possess a soul by which they move spontaneously; they have no properties by which they could at any time come to a state of rest; in their perpetual rotations they are not subject to any change, except that of position. The question whether they are endowed with an intellect, enabling them to comprehend, cannot be solved without deep research. Through the constant revolution of the fifth element, with all contained therein, the four elements are forced to move and to change their respective positions, so that fire and air are driven into water, and again these three elements enter the depth of the earth. Thus are the elements mixed together; and when they return to their respective places, parts of the earth, in quitting their places, move together with the water, the air and the fire. In this whole process the elements act and react upon each other. The elements intermixed, are then combined, and form at first various kinds of vapours; afterwards the several kinds of minerals, every species of plants, and many species of living beings, according to the relative proportion of the constituent parts. All transient beings have their origin in the elements, into which again they resolve when their existence comes to an end. The elements themselves are subject to being transformed from one into another; for although one substance is common to all, substance without form is in reality impossible, just as the physical form of these transient beings cannot exist without substance. The formation and the dissolution of the elements, together with the things composed of them, and resolving into them, follow each other in rotation. The changes of the finite substance, in successively receiving one form after the other, may therefore be compared to the revolution of the sphere in space, when each part of the sphere periodically reappears in the same position.

As the human body consists both of principal organs and of other members which depend on them and cannot exist without the control of those organs, so does the universe consist both of principal parts, *viz.*, the quintessence, which encompasses the four elements and of other parts which are subordinated and require a leader, *viz.*, the four elements and the things composed of them.

Again, the principal part in the human body, namely, the heart,

is in constant motion, and is the source of every motion noticed in the body; it rules over the other members, and communicates to them through its own pulsations the force required for their functions. The outermost sphere by its motion rules in a similar way over all other parts of the universe, and supplies all things with their special properties. Every motion in the universe has thus its origin in the motion of that sphere; and the soul of every animated being derives its origin from the soul of that same sphere.

The forces which according to this explanation are communicated by the spheres to this sublunary world are four in number, *viz.*, (*a*) the force which effects the mixture and the composition of the elements, and which undoubtedly suffices to form the minerals; (*b*) the force which supplies every growing thing with its vegetative functions; (*c*) the force which gives to each living being its vitality, and (*d*) the force which endows rational beings with intellect. All this is effected through the action of light and darkness, which are regulated by the position and the motion of the spheres round the earth.

When for one instant the beating of the heart is interrupted, man dies, and all his motions and powers come to an end. In a like manner would the whole universe perish, and everything therein cease to exist if the spheres were to come to a standstill.

The living being as such is one through the action of its heart, although some parts of the body are devoid of motion and sensation, as, *e.g.*, the bones, the cartilage, and similar parts. The same is the case with the entire universe; although it includes many beings without motion and without life, it is a single living being through the motion of the sphere, which may be compared to the heart of an animated being. You must therefore consider the entire globe as one individual being which is endowed with life, motion, and a soul. This mode of considering the universe is, as will be explained, indispensable, that is to say, it is very useful for proving the unity of God; it also helps to elucidate the principle that He who is One has created only *one* being.

Again, it is impossible that any of the members of a human body should exist by themselves, not connected with the body, and at the same time should actually be organic parts of that body, that is to say, that the liver should exist by itself, the heart by itself, or the flesh by itself. In like manner, it is impossible that one part of the Universe should exist independetly of the other parts in the existing order of things as here considered, *viz.*, that the fire should exist without the

co-existence of the earth, or the earth without the heaven, or the heaven without the earth.

In man there is a certain force which unites the members of the body, controls them, and gives to each of them what it requires for conservation of its condition, and for the repulsion of injury—the physicians distinctly call it the leading force in the body of the living being; sometimes they call it "nature." The Universe likewise possesses a force which unites the several parts with each other, protects the species from destruction, maintains the individuals of each species as long as possible, and endows some individual beings with permanent existence. Whether this force operates through the medium of the sphere or otherwise remains an open question.

Again, in the body of each individual there are parts which are intended for a certain purpose, as the organs of nutrition for the preservation of the individual, the organs of generation for the preservation of the species, the hands and eyes for administering to certain wants, as to food, etc.; there are also parts which, in themselves, are not intended for any purpose, but are mere accessories and adjuncts to the constitution of the other parts. The peculiar constitution of the organs, indispensable for the conservation of their particular forms and for the performance of their primary functions, produces, whilst it serves its special purpose, according to the nature of the substance, other things, such as the hair and the complexion of the body. Being mere accessories, they are not formed according to a fixed rule; some are altogether absent in many individuals; and vary considerably in others. This is not the case with the organs of the body. You never find that the liver of one person is ten times larger than that of another person, but you may find a person without a beard, or without hair on certain parts of his body, or with a beard ten times longer than that of another man. Instances of this phenomenon, *viz.*, great variation as regards hair and colour, are not rare. The same differences occur in the constitution of the Universe. Some species exist as an integral part of the whole system; these are constant and follow a fixed law; though they vary as far as their nature permits, this variation is insignificant in quantity and quality. Other species do not serve any purpose; they are the mere result of the general nature of transient things, as *e.g.*, the various insects which are generated in dunghills, the animals generated in rotten fruit, or in fetid liquids, and worms generated in the intestines, etc. In short, everything devoid of the power of generation belongs to this class. You will,

therefore, find that these things do not follow a fixed law, although their entire absence is just as impossible as the absence of different complexions and of different kinds of hair amongst human beings.

In man there are substances the individual existence of which is permanent, and there are other substances which are only constant in the species, not in the individuals, as, *e.g.*, the four humours. The same is the case in the Universe; there are substances which are constant in individuals, such as the fifth element, which is constant in all its formations, and other substances which are constant in the species, as *e.g.*, the four elements and all that is composed of them.

The same forces which operate in the birth and the temporal existence of the human being operate also in his destruction and death. This truth holds good with regard to this whole transient world. The causes of production are at the same time the causes of destruction. This may be illustrated by the following example. If the four forces which are present in every being sustained by food, *viz.*, attraction, retention, disgestion, and secretion, were, like intelligent forces, able to confine themselves to what is necessary, and to act at the proper time and within the proper limits, man would be exempt from those great sufferings and the numerous diseases [to which he is exposed]. Since, however, such is not the case, and since the forces perform their natural functions without thought and intelligence, without any consciousness of their action, they necessarily cause dangerous maladies and great pains, although they are the direct causes of the birth and the temporal existence of the human being. This fact is to be explained as follows: if the attractive force would absorb nothing but that which is absolutely beneficial, and nothing but the quantity which is required, man would be free from many such sufferings and disorders. But such is not the case; the attractive force absorbs any humour that comes within the range of its action, although such humour be ill-adapted in quality or in quantity. It is, therefore, natural that sometimes a humour is absorbed which is too warm, too cold, too thick, or too thin, or that too much humour is absorbed, and thus the veins are choked, obstruction and decay ensue, the quality of the humour is deteriorated, its quantities altered, diseases are originated, such as scurvy, leprosy, abscess, or a dangerous illness, such as cancer, elephantiasis, gangrene, and at last the organ or organs are destroyed. The same is the case with every one of the four forces, and with all existing beings. The same force that originates all things,

and causes them to exist for a certain time, namely, the combination of the elements which are moved and penetrated by the forces of the heavenly spheres, the same cause becomes throughout the world a source of calamaties, such as devastating rain, showers, snow-storms, hail, hurricane, thunder, lightning, malaria, or other terrible catastrophes by which a place or many places or an entire country may be laid waste, such as landslips, earthquakes, meteoric showers and floods issuing forth from the seas and from the interior of the earth.

Bear in mind, however, that in all that we have noticed about the similarity between the Universe and the human being, nothing would warrant us to assert that man is a microcosm; for although the comparison in all its parts applies to the Universe and any living being in its normal state, we never heard that any ancient author called the ass or the horse a microcosm. This attribute has been given to man alone on account of his peculiar faculty of thinking, I mean the intellect, *i.e.*, the hylic intellect which appertains to no other living being. This may be explained as follows. An animal does not require for its sustenance any plan, thought or scheme; each animal moves and acts by its nature, eats as much as it can find of suitable things, it makes its resting-place wherever it happens to be, cohabits with any mate it meets while in heat in the periods of its sexual excitement. In this manner each individual conserves itself for a certain time, and perpetuates the existence of its species without requiring for its maintenance the assistance or support of any of its fellow creatures; for all the things to which it has to attend it performs by itself. With man it is different; if an individual had a solitary existence, and were, like an animal, left without guidance, he would soon perish, he would not endure even one day, unless it were by mere chance, unless he happened to find something upon which he might feed. For the food which man requires for his subsistence demands much work and preparation, which can only be accomplished by reflection and by plan; many vessels must be used, and many individuals, each in his peculiar work, must be employed. It is therefore necessary that one person should organise the work and direct men in such a manner that they should properly co-operate, and that they should assist each other. The protection from heat in summer and from cold in winter, and shelter from rain, snow, and wind, require in the same manner the preparation of many things, none of which can properly be done without design and thought. For this reason man has been endowed with intellectual faculties, which enable him to think, consider, and act,

and by various labours to prepare and procure for himself food, dwelling and clothing, and to control every organ of his body, causing both the principal and the secondary organs to perform their respective functions. Consequently, if a man, being deprived of his intellectual faculties, only possessed vitality, he would in a short time be lost. The intellect is the highest of all faculties of living creatures; it is very difficult to comprehend, and its true character cannot be understood as easily as man's other faculties.

There also exists in the Universe a certain force which controls the whole, which sets in motion the chief and principal parts, and gives them the motive power for governing the rest. Without that force, the existence of this sphere, with its principal and secondary parts, would be impossible. It is the source of the existence of the Universe in all its parts. That force is God; blessed be His name! It is on account of this force that man is called microcosm; for he likewise possesses a certain principle which governs all the forces of the body, and on account of this comparison God is called "the life of the Universe" (Deut. xii. 7.)

You must understand that in the parallel which we have drawn between the whole universe, on the one hand, and the individual man, on the other, there is a complete harmony in all the points which are mentioned above; only in the following three points a discrepancy may be noticed.

First, the principal organ of any living being which has a heart, derives a benefit from the organs under the control of the heart, and the benefits of the organs thus become the benefits of the heart. This is not the case in the constitution of the universe. That part which bestows authority or distributes power, does not receive in return any benefit from the things under its control; whatever it grants, is granted in the manner of a generous benefactor, not from any selfish motive, but from a natural generosity and kindliness; only for the sake of imitating the ways of the Most High.

Secondly, living creatures endowed with a heart have it within the body and in the midst thereof; there it is surrounded by organs which it governs. Thus it derives a benefit from them, for they guard and protect it, and they do not allow that any injury from without should approach it. The reverse occurs in the case of the Universe. The superior part encompasses the inferior parts, it being certain that it cannot be affected by the action of any other being; and even if it could be affected, there is nobody without it that could affect it. While

it influences all that it contained within, it is not influenced by any act or force of any material being. There is, however, some similarity [between the universe and man] in this point. In the body of animals, the organs more distant from the principal organ are of less importance than those nearer to it. Also in the universe, the nearer the parts are to the centre, the greater is their turbidness, their solidity, their inertness, their dimness and darkness, because they are further away from the loftiest element, from the source of light and brightness, which moves by itself and the substance of which is the most rarefied and simplest: from the outermost sphere. At the same ratio at which a body is near this sphere, it derives properties from it, and rises above the spheres behind it.

Thirdly. The faculty of thinking is a force inherent in the body, and is not separated from it, but God is not a force inherent in the body of the universe, but is separate from all its parts. How God rules the universe and provides for it is a complete mystery; man is unable to solve it. For, on the one hand, it can be proved that God is separate from the universe, and in no contact whatever with it; but, on the other hand, His rule and providence can be proved to exist in all parts of the universe, even in the smallest. Praised be He whose perfection is above our comprehension.

It is true, we might have compared the relation between God and the universe, to the relation between the absolute acquired intellect and man; it is not a power inherent in the body, but a power which is absolutely separate from the body, and is from without brought into contact with the body. The rational faculty of man may be further compared to the intelligence of the spheres, which are, as it were, material bodies. But the intelligences of the spheres, purely spiritual beings, as well as man's absolute and acquired intellect, are subjects of deep study and research; the proof of their existence, though correct, is abstruse, and includes arguments which present doubts, are exposed to criticism, and can be easily attacked by objectors. We have, therefore, preferred to illustrate the relation of God to the universe by a simile which is clear, and which will not be contradicted in any of the points which have been laid down by us without any qualification. The opposition can only emanate either from an ignorant man, who contradicts truths even if they are perfectly obvious, just as a person unacquainted with geometry rejects elementary propositions which have been clearly demonstrated, or from the prejudiced man who deceives himself. Those, however, who wish to study the subject must

persevere in their studies until they are convinced that all our observations are true, and until they understand that our account of this universe unquestionably agrees with the existing order of things. If a man is willing to accept this theory from one who understands how to prove things which can be proved, let him accept it, and let him establish on it his arguments and proofs. If, on the other hand, he refuses to accept without proof even the foregoing principles, let him enquire for himself, and untimately he will find that they are correct. "Lo this, we have searched it, so it is; hear it, and know thou it for thy good."

PROPOSITIONS ADMITTED

Twenty-five of the propositions which are employed in the proof for the existence of God, or in the arguments demonstrating that God is neither corporeal nor a force connected with a material being, or that He is One, have been fully established, and their correctness is beyond doubt. Aristotle and the Peripatetics who followed him have proved each of these propositions. There is, however, one proposition which we do not accept—namely, the proposition which affirms the Eternity of the Universe, but we will admit it for the present, because by doing so we shall be enabled clearly to demonstrate our own theory.

Proposition I.

The existence of an infinite magnitude is impossible.

Proposition II.

The co-existence of an infinite number of finite magnitudes is impossible.

Proposition III.

The existence of an infinite number of causes and effects is impossible, even if these were not magnitudes; if *e.g.,* one Intelligence were the cause of a second, the second the cause of a third, the third the cause of a fourth, and so on, the series could not be continued *ad infinitum.*

Proposition IV.

Four categories are subject to change:—

(*a.*) *Substance.*—Changes which affect the substance of a thing are called genesis and destruction.

(*b.*) *Quantity.*—Changes in reference to quantity are increase and decrease.

(*c.*) *Quality.*—Changes in the qualities of things are transformations.

(*d.*) *Place.*—Changes of place is called motion.

The term "motion" is properly applied to change of place, but is also used in a general sense of all kinds of changes.

Proposition V.

Motion implies change and transition from potentiality to actuality.

Proposition VI.

The motion of a thing is either essential or accidental; or it is due to an external force, or to the participation of the thing in the motion of another thing. This latter kind of motion is similar to the accidental one. An instance of essential motion may be found in the translation of a thing from one place to another. The accident of a thing, as, *e. g.*, its black colour, is said to move when the thing itself changes its place. The upward motion of a stone, owing to a force applied to it in that direction, is an instance of a motion due to an external force. The motion of a nail in a boat may serve to illustrate motion due to the participation of a thing in the motion of another thing; for when the boat moves, the nail is said to move likewise. The same is the case with everything composed of several parts: when the thing itself moves, every part of it is likewise said to move.

Proposition VII.

Things which are changeable are, at the same time, divisible. Hence everything that moves is divisible, and consequently corporeal, but that which is indivisible cannot move, and cannot therefore be corporeal.

Proposition VIII.

A thing that moves accidentally must come to rest, because it does not move of its own accord; hence accidental motion cannot continue for ever.

Proposition IX.

A corporeal thing that sets another corporeal thing in motion can only effect this by setting itself in motion at the time it causes the other thing to move.

Proposition X.

A thing which is said to be contained in a corporeal object must satisfy either of the two following conditions: it either exists through that object, as is the case with accidents, or it is the cause of the existence of that object; such as, *e. g.*, its essential property. In both cases

it is a force existing in a corporeal object.

Proposition XI.

Among the things which exist through a material object, there are some which participate in the division of the object, and are therefore accidentally divisible, as, *e.g.*, its colour, and all other qualities that spread throughout its parts. On the other hand, among the things which form the essential elements of an object, there are some which cannot be divided in any way, as, *e.g.*, the soul and the intellect.

Proposition XII.

A force which occupies all parts of a corporeal object is finite, the object itself being finite.

Proposition XIII.

None of the several kinds of change can be continuous, except motion from place to place, provided it be circular.

Proposition XIV.

Locomotion is in the natural order of the several kinds of motion the first and foremost. For genesis and corruption are preceded by transformation, which, in its turn, is preceded by the approach of the transforming agent to the object which is to be transformed. Also, increase and decrease are impossible without previous genesis and corruption.

Proposition XV.

Time is an accident that is related and joined to motion in such a manner that the one is never found without the other. Motion is only possible in time, and the idea of time cannot be conceived otherwise than in connection with motion; things which do not move have no relation to time.

Proposition XVI.

Incorporeal bodies can only be numbered when they are forces situated in a body: the several forces must then be counted together with substances or objects in which they exist. Hence purely spiritual beings, which are neither corporeal nor forces situated in corporeal objects, cannot be counted, except when considered as causes and effects.

Proposition XVII.

When an object moves, there must be some agent that moves it, either without that object, as, *e.g.*, in the case of a stone set in motion by the hand; or within, *e.g.*, when the body of a living being moves. Living beings include in themselves, at the same time, the moving agent and the thing moved; when, therefore, a living being dies, and the moving agent, the soul, has left the body, *i.e.*, the thing moved,

the body remains for some time in the same condition as before, and yet cannot move in the manner it has moved previously. The moving agent, when included in the thing moved, is hidden from, and imperceptible to, the senses. This circumstance gave rise to the belief that the body of an animal moves without the aid of a moving agent. When we therefore affirm, concerning a thing in motion, that it is its own moving agent, or, as is generally said, that is moves of its own accord, we mean to say that the force which really sets the body in motion exists in that body itself.

Proposition XVIII.

Everything that passes over from a state of potentiality to that of actuality, is caused to do so by some external agent; because if that agent existed in the thing itself, and no obstacle prevented the transition, the thing would never be in a state of potentiality, but always in that of actuality. If, on the other hand, while the thing itself contained that agent, some obstacle existed, and at a certain time that obstacle was removed, the same cause which removed the obstacle would undoubtedly be described as the cause of the transition from potentiality to actuality, [and not the force situated within the body]. Note this.

Proposition XIX.

A thing which owes its existence to certain causes, has in itself merely the possibility of existence; for only if these causes exist, the thing likewise exists. It does not exist if the causes do not exist at all, or if they have ceased to exist, or if there has been a change in the relation which implies the existence of that thing as a necessary consequence of those causes.

Proposition XX.

A thing which has in itself the necessity of existence cannot have for its existence any cause whatever.

A thing composed of two elements has necessarily their composition as the cause of its present existence. Its existence is therefore not necessitated by its own essence; it depends on the existence of its two component parts and their combination.

Proposition XXII.

Material objects are always composed of two elements [at least], and are without exception subject to accidents. The two component elements of all bodies are substance and form. The accidents attributed to material objects are quantity, geometrical form, and position.

Proposition XXIII.

Everything that exists potentially, and whose essence includes a certain state of possibility, may at some time be without actual existence.

Proposition XXIV.

That which is potentially a certain thing is necessarily material, for the state of possibility is always connected with matter.

Proposition XXV.

Each compound substance consists of matter and form, and requires an agent for its existence, viz., a force which sets the substance in motion, and thereby enables it to receive a certain form. The force which thus prepares the substance of a certain individual being, is called the immediate motor.

Here the necessity arises of investigating into properties of motion, the moving agent and the thing moved. But this has already been explained sufficiently; and the opinion of Aristotle may be expressed in the following proposition: Matter does not move of its own accord—an important proposition that led to the investigation of the Prime Motor (the first moving agent).

Of these foregoing twenty-five propositions some may be verified by means of a little reflection and the application of a few propositions capable of proof, or of axioms or theorems of almost the same force, such as have been explained by me. Others require many arguments and propositions, all of which, however, have been established by conclusive proofs partly in the Physics and its commentaries, and partly in the Metaphysics and its commentary. I have already stated that in this work it is not my intention to copy the books of the philosophers which are closely connected with our subject, and which we want for our purpose.

To the above propositions one must be added which enunciates that the universe is eternal, and which is held by Aristotle to be true, and even more acceptable than any other theory. For the present we admit it, as a hypothesis, only for the purpose of demonstrating our theory. It is the following proposition:—

Proposition XXVI.

Time and motion are eternal, constant, and in actual existence.

In accordance with this proposition, Aristotle is compelled to assume that there exists actually a body with constant motion, viz., the fifth element. He therefore says that the heavens are not subject to genesis or destruction, because motion cannot be generated nor destroyed. He also holds that every motion must necessarily be pre-

ceded by another motion, either of the same or of a different kind. The belief that the locomotion of an animal is not preceded by another motion, is not true; for the animal is caused to move, after it had been in rest, by the intention to obtain those very things which bring about that locomotion. A change in its state of health, or some image, or some new idea can produce a desire to seek that which is conducive to its welfare and to avoid that which is contrary. Each of these three causes sets the living being in motion, and each of them is produced by various kinds of motion. Aristotle likewise asserts that everything which is created, must, before its actual creation, have existed *in potentia*. By inferences drawn from this assertion he seeks to establish his proposition, viz., The thing that moves is finite, and its path finite; but it repeats the motion in its path an infinite number of times. This can only take place when the motion is circular, as has been of an infinite number of things which do not co-exist but follow one after the other.

Aristotle frequently attempts to establish this proposition; but I believe that he did not consider his proofs to be conclusive. It appeared to him to be the most probable and a likely proposition. His followers, however, and the commentators of his books, contend that it contains not only a probable but a demonstrative proof, and that it has, in fact, been fully established. On the other hand, the Mutakallemim try to prove that the proposition cannot be true, as, according to their opinion, it is impossible to conceive how an infinite number of things could even come into existence successively. They assume this impossibility as an axiom. I, however, think that this proposition is admissible, but neither demonstrative, as the commentators of Aristotle assert, nor, on the other hand, impossible, as the Mutakallemim say. We have no intention to explain here the proofs given by Aristotle, or to show our doubts concerning them, or to set forth our opinion on the Creation of the universe. I here simply desire to mention those propositions which we shall require for the proof of the three principles stated above. Having thus quoted and admitted these propositions, I will now proceed to explain what may be inferred from them.

FRIEDLANDER'S TRANSLATION.

FEUDALISM

After the breaking up of the strong empire of Karl the Great, Europe rapidly disintegrated into small centers of influence. The individual lord had to govern his own estate and took upon himself the powers of the state in order to do it. The vassal received his land in trust from his lord in return for military service and for various stated financial aids; the man that had hitherto been free, surrendered his land to lord or bishop in return for protection, and received it back as a fief. Above such lords was the king (or perhaps an intermediate over-lord), who could exact from them little more than military service, and aids at such times as at the marriage of his eldest daughter or the coming of age of his heir, leaving the barons to rule their estates as they pleased.

Under the head of Feudalism we illustrate the various forms of dependence, the origin of fiefs, the private jurisdiction of the lords, the mutual duties and powers of lord and vassal, and the peculiar judicial customs of the time, such as the proof of innocence by the oath of friends (compurgation), ordeals, wherein God was supposed to aid the innocent to accomplish almost the miraculous, wagers of battle, and the like. Many of these customs have already been illustrated in the laws of the Anglo-Saxons, and a careful reading of the Salic law will show that some of them, or the germs of them, existed among the Franks as early as the fifth century.

THE FEUDAL SOCIETY

FORMS OF DEPENDENCE

An Anglo-Saxon Formula of Commendation

Thus shall one take the oath of fidelity:

By the Lord before whom this sanctuary is holy, I will to N. be true and faithful, and love all which he loves and shun all which he shuns, according to the laws of God and the order of the world. Nor will I ever with will or action, through word or deed, do anything which is unpleasing to him, on condition that he will hold to me as I shall deserve it, and that he will perform everything as it was in our agreement when I submitted myself to him and chose his will.

A Frankish Formula of Commendation, Seventh Century

Who commends himself in the power of another:

To that magnificent lord *so and so,* I, *so and so.* Since it is known familiarly to all how little I have whence to feed and clothe myself, I have therefore petitioned your piety, and your good-will has decreed to me that I should hand myself over or commend myself to your guardianship, which I have thereupon done; that is to say in this way, that you should aid and succor me as well with food as with clothing, according as I shall be able to serve you and deserve it.

And so long as I shall live I ought to provide service and honor to you, suitably to my free condition; and I shall not during the time of my life have the ability to withdraw from your power or guardianship; but must remain during the days of my life under your power of defence. Wherefore it is proper that if either of us shall wish to withdraw himself from these agreements, he shall pay *so many* shillings to his peer (*pari suo*) and this agreement shall remain unbroken.

Wherefore it is fitting that they should make or confirm between themselves two letters drawn up in the same form on this matter; which they have thus done.

Change From Allodial to Feudal Holding

To all who shall see the present letters the Official of Auxerre greeting. Let all know, that standing in presence of William de la Foret, knight, and Agnes, his wife, asserting firmly that they hold and possess in free allod the property noted below; viz: the arpent of vines, situated in the vineyard of Chablis, in the place which is called the Close, between the vines of William Berner, on the one side, and the vines of the late Pariot, on the other, ... also all other things which they possessed and held in free allod, as they said, and still hold and possess within the boundaries of Chablis, of Chichiac, of Milli, of Ponche, of Bena and of Chapelle, the direct and hereditary holdings of the same Agnes wherever they may be within the same boundaries, and whatsoever; by their common consent and will, after previous deliberation they have placed altogether in the fee of the church of St. Martin of Tours, and in fee, for the future have wished to hold and possess firmly from the said church.

They promise, on their fealty offered by their bodies, that they hold and will hold the things aforesaid and expressed above, with all other things which they hold and possess within the said boundaries wherever they may be and whatsoever, for the future, from the said church in fee, and to the same church in future, by reason of the same property will provide feudal service as they ought to provide it, just as others holding in fee are accustomed to hold and are bound to give or provide.

PRIVATE JURISDICTIONS

Grant of immunity for the Lands of a Bishopric

We believe that it increases the great memorial of our realm, if with benevolent deliberation we concede opportune benefits to the places of the churches or to *any one you may name,* and under the protection of the Lord, write them down to endure in stability. Therefore, may your zeal know that we have seen fit upon petition to grant such a benefit, for our eternal reward, to that apostolic man, lord *so and so,* bishop of *such and such a city:* that in the villas of the church of that lord which in recent times, or in ours, or by the gift of any one, he is seen to have, or which in the future godly piety shall wish to amplify in the right of that holy place, no public judge shall at any time presume

to enter for the hearing of causes or for the exaction of payments, but the prelate himself or his successors for the name of the Lord shall be able to rule over this under the name of a complete corporation. We require, therefore, that neither you nor your subordinates nor your successors nor any public judicial power should presume at any time to enter into the vills of the same church anywhere in our kingdom, either those granted by royal bounty or by that of private persons or those which shall in future be granted; either for the sake of hearing altercations or to exact fines for any causes, or to obtain sureties. But whatever the Treasury could expect either of fines or other things either from free-men or from servants and other nations who are within the fields or boundaries or dwelling upon the lands of the aforesaid church; by our indulgence for our future welfare, shall be profitable for the expenses of the same church by the hand of those ruling it, forever. And what we for the name of God and the remedy of our soul and that of our progeny who shall follow us have granted from full devotion, let not the royal sublimity, in the reckless cupidity of any of the judges be tempted to break. And, in order that the present authority may, by the aid of God, remain inviolate in present as in future times we have ordered this to be corroborated below by the subscription of our hand.

Grant of Immunity to a Layman, Seventh Century

Therefore, may your greatness or perseverance know that we have seen fit to concede by our ready will to *such and such an* illustrious man, the vill named *so and so,* situated in *such and such* a district, completely with its whole proper boundary, as it has been possessed by *such and such a one* or by our treasury, or is possessed at this present time. Wherefore, by our present authority we have decreed what we command shall be kept forever, that the man aforesaid, *so and so,* should have conceded to him *such and such* a vill as we have said, in its entirety, with the lands, houses, buildings, villains, slaves, vineyards, woods, fields, meadows, pastures, waters or watercourses, grist mills, additions, appurtenances, or any kind of men who are subjected to our treasury who dwell there; in entire immunity, and without the entrance of any one of the judges for the purpose of holding the pleas of any kind of causes. Thus he may have, hold, and possess it in proprietary right and without expecting the entrance of any of the judges; and may leave the possession of it to his posterity, by the aid of God, from our bounty, or to whom he will; and by our permission he shall have

free power to do whatever he may wish with it for the future. And in order that this authority may be held as more firm, we have decreed it to be corroborated below with our own hand.

Grant of a Fief, A. D., 1200.

I, Thiebault, count palatine of Troyes, make known to those present and to come that I have given in fee to Jocelyn d'Avalon and his heirs the manor which is called Gillencourt, which is of the castellanerie of La Ferte sur Aube; and whatever the same Jocelyn shall be able to acquire in the same manor I have granted to him and his heirs in augmentation of that fief. I have granted, moreover, to him that in no free manor of mine will I retain men who are of this gift. The same Jocelyn, moreover, on account of this has become my liege man, saving however, his allegiance to Gerard d'Arcy, and to the lord duke of Burgundy, and to Peter, count of Auxerre. Done at Chouaude, by my own witness, in the year of the Incarnation of our Lord 1200 in the month of January. Given by the hanl of Walter, my chancellor; note of Milo.

THE CEREMONY OF HOMAGE AND FEALTY

Homage and Fealty to Count of Flanders, A. D., 1127

Through the whole remaining part of the day those who had been previously enfeoffed by the most pious count Charles, did homage to the count, taking up now again their fiefs and offices and whatever they had before rightfully and legitimately obtained. On Thursday the seventh of April, homages were again made to the count, being completed in the following order of faith and security.

First they did their homage thus, the count asked if he was willing to become completely his man, and the other replied, "I am willing;" and with clasped hands, surrounded by the hands of the count, they were bound together by a kiss. Secondly, he who had done homage gave his fealty to the representative of the count in these words, "I promise on my faith that I will in future be faithful to count William, and will observe my homage to him completely against all persons in good faith and without deceit," and thirdly, he took his oath to this upon the relics of the saints. Afterward, with a little rod which the count held in his hand, he gave investitures to all who by this agreement had given their security and homage and accompanying oath.

Charter of Homage and Fealty, A. D., 1110

In the name of the Lord, I, Bernard Atton, Viscount of Carcassonne, in the presence of my sons, Roger and Trencavel, and of Peter Roger of Barbagan, and William Hugo, and Raymond Mantellini, and Peter de Vietry, nobles, and of many other honorable men, who had come to the monastery of St. Mary of Grasse, to the honor of the festival of the august St. Mary; since lord Leo, abbot of the said monastery, has asked me, in the presence of all those above mentioned, to acknowledge to him the fealty and homage for the castles, manors, and places which the patrons, my ancestors, held from him and his predecessors and from the said monastery as a fief, and which I ought to hold as they held, I have made to the lord abbot Leo acknowledgment and homage as I ought to do.

Therefore, let all present and to come know that I the said Bernard Atton, lord and viscount of Carcassonne, acknowledge verily to thee my lord Leo, by the grace of God, abbot of St. Mary of Grasse, and to thy successors that I hold and ought to hold as a fief, in Carcassonne, the following: that is to say, the castle of Confoles, of Leocque, of Capendes, (which is otherwise known as St. Martin of Sussagues); and the manors of Mairac, of Albars and of Musso; also, in the valley of Aquitaine, Rieux, Traverina, Hérault, Archas, Servians, Villatritoes, Tansiraus, Presler, Cornelles. Moreover, I acknowledge that I hold from thee and from the said monastery as a fief the castle of Termes in Narbonne; and in Menerve the castle of Ventaion, and the manors of Cassanolles, and of Ferral and Aiohars; and in Le Rogès, the little village of Longville; for each and all of which I make homage and fealty with hands and with mouth to thee my said lord abbot Leo and to thy successors, and I swear upon these four gospels of God that I will always be a faithful vassal to thee and to thy successors and to St. Mary of Grasse in all things in which a vassal is required to be faithful to his lord, and I will defend thee, my lord, and all thy successors, and the said monastery and the monks present and to come and the castles and manors and all your men and their possessions against all malefactors and invaders, at my request and that of my successors at my own cost; and I will give to thee power over all the castles and manors above described, in peace and in war, whenever they shall be claimed by thee or by thy successors.

Moreover, I acknowledge that, as a recognition of the above fiefs, I and my successors ought to come to the said monastery, at our own

expense, as often as a new abbot shall have been made, and there do homage and return to him the power over all the fiefs described above. And when the abbot shall mount his horse I and my heirs, viscounts of Carcassonne, and our successors ought to hold the stirrup for the honor of the dominion of St. Mary of Grasse; and to him and all who come with him, to as many as two hundred beasts, we should make the abbot's purveyance in the borough of St. Michael of Carcassonne, the first time he enters Carcassonne, with the best fish and meat and with eggs and cheese, honorably according to his will, and pay the expense of the shoeing of the horses, and for straw and fodder as the season that shall require.

And if I or my sons or their successors do not observe to thee or thy successors each and all the things declared above, and should come against these things, we wish that all the aforesaid fiefs should by that very fact be handed over to thee and to the said monastery of St. Mary of Grasse and to thy successors.

I, therefore, the aforesaid lord Leo, by the grace of God, abbot of St. Mary of Grasse, receive the homage and fealty for all the fiefs of castles and manors and places which are described above; in the way and with the agreements and understandings written above; and likewise I concede to thee and thy heirs and their successors, the viscounts of Carcassonne, all the castles and manors and places aforesaid, as a fief, along with this present charter, divided through the alphabet. And I promise to thee and thy heirs and successors, viscounts of Carcassonne, under the religion of my order, that I will be good and faithful lord concerning all those things described above.

Moreover, I, the aforesaid viscount, acknowledge that the little villages of Cannetis, Maironis, Villamagna, Aiglinò, Villadassas, Villafrancos, Villadenz, Villaudriz, St. Genèse, Gauart, Conguste and Mata, with the farm-house of Mathus and the chateaux of Villalauro and Claramont, with the little villages of St. Stephen of Surlac, and of Upper and Lower Agrifolio, ought to belong to the said monastery, and whoever holds anything there holds from the same monastery, as we have seen and have heard read in the privileges and charters of the monastery, and as was there written.

Made in the year of the Incarnation of the Lord 1110, in the reign of Louis. Seal of Bernard Atton, viscount of Carcassonne, seal of Raymond Mantellini, seal of Peter Roger of Barbazon, seal of Roger, son of the said viscount of Carcassonne, seal of Peter de Vitry,

seal of Trencavel, son of the said viscount of Carcassonne, seal of William Hugo, seal of lord abbot Leo, who has accepted this acknowledgment of the homage of the said viscount.

And I, the monk John, have written this charter at the command of the said lord Bernard Atton, viscount of Carcassonne and of his sons, on the day and year given above, in the presence and witness of all those named above.

MUTUAL DUTIES OF VASSALS AND LORDS

Letter from Bishop Fulbert of Chartres, A. D., 1020

To William most glorious duke of the Aquitanians, bishop Fulbert the favor of his prayers.

Asked to write something concerning the form of fealty, I have noted briefly for you on the authority of the books the things which follow. He who swears fealty to his lord ought always to have these six things in memory; what is harmless, safe, honorable, useful, easy, practicable. Harmless, that is to say that he should not be injurious to his lord in his body; safe, that he should not be injurious to him in his secrets or in the defenses through which he is able to be secure; honorable, that he should not be injurious to him in his justice or in other matters that pertain to his honor; useful, that he should not be injurious to him in his possessions; easy or practicable, that that good which his lord is able to do easily, he make not difficult, nor that which is practicable he make impossible to him.

However, that the faithful vassal should avoid these injuries is proper, but not for this does he deserve his holding; for it is not sufficient to obstain from evil, unless what is good is done also. It remains, therefore, that in the same six things mentioned above he should faithfully counsel and aid his lord, if he wishes to be looked upon as worthy of his benefice and to be safe concerning the fealty which he has sworn.

The lord also ought to act toward his faithful vassal reciprocally in all these things. And if he does not do this he will be justly considered guilty of bad faith, just as the former, if he should be detected in the avoidance of or the doing of or the consenting to them, would be perfidious and perjured.

I would have written to you at greater length, if I had not been occupied with many other things, including the rebuilding of our city and church which was lately entirely consumed in a great fire; from

which loss though we could not for a while be diverted, yet by the hope of the comfort of God and of you we breathe again.

AUTHORITY OF THE LORD OVER THE MARRIAGES OF VASSALS

Acknowledgment of Countess of Nevers, A. D., 1221

I, Matilda, countess of Nevers make known to all who shall see this present letter, that I have sworn upon the sacred gospels to my dearest lord, Philip, by the grace of God, the illustrious king of France, that I will do to him good and faithful service against all living men and women, and that I will not marry except by his will and grace. For keeping these agreements firmly I have given pledges to the same lord king from my men whom I had with me, on their oaths, in this wise, that if I should fail to keep the said agreements with the lord king, (though this shall not be), these are held to come to the lord king with all their lands and fiefs which are held from me, and shall take their oaths to him against me until it shall have been made good to him to his satisfaction. And whenever the lord king shall ask me I will cause him to have similar oaths from my men who were not present with me before the lord king, that is to say from all whom I may have, in good faith, and without evil intention, and similarly the fealty of my town. And in order that this may remain firm and stable, I have written the present letters supported by my seal. Given at Melun, in the year of the Lord 1221, in the month of February.

MILITARY SERVICE OF TENANTS

An Early Feudal Summons, Probably, A. D. 1072

W. king of the English to Aethelwig, abbot of Evesham, greeting. I command you to summon all those who are under your charge and jurisdiction to have armed before me by the week after Whitsundy, at Clarendon all the knights which are due to me. And do you also come to me on that day and bring with you armed those five knights which you owe to me from your abbey. Witness Eudo, the steward, at Winchester.

FEUDAL JURISPRUDENCE

COMPURGATION

Two Forms of Compurgatorial Oath

(A.) [Defendant made oath denying the crime.[Likewise, witnesses of his own order, who were eye-witnesses and cognizant of the facts in the case, swore after him that the aforesaid N. had given a true and satisfactory oath in what he had sworn regarding the matter.

(B.) By the Lord, the oath which N. has sworn is clean and without falsehood.

Compurgation of the Brothers of Adelher
11th century

Some time after this it happened that a certain priest named Adelher was stricken with great weakness. He was indeed deeply devoted to the bishop [Boniface] on account of his noble character, and knowing the latter's secrets he served him truly. And when he perceived the end of life approaching, by the council of the man of God he gave what property he had inherited to St. Martin of Mainz. After this, his sickness increasing, he died. Afterwards his brothers violently seized what he had given to St. Martin in the following places, ... And when they had been summoned and questioned regarding their action, they promised to prove by an oath that the property was rightly theirs; and the bishop promised to be present. On the appointed day they brought together a large number of their relatives. The man of God was likewise there, and when the brothers had fetched their compurgators to the altar he is reported to have said: "If ye will swear, swear alone; I do not desire that ye should cause the damnation of all these." But the brothers took the oath. And immediately the bishop turning to them said: "Have ye sworn?" "We have," they replied. Then to the elder he said: "Thou wilt shortly be killed by a bear"; but to the younger, "Never wilt thou see son or daughter from thy seed." Both of the prophesies proved true. And so the church of St. Martin received the heritage given to it.

Punishment for Perjury

He who seeks the composition for homicide, let him swear on the relics of the saints that he will not accuse any one of this except those whom he suspects of the murder; and then let him accuse of homicide one, two, or even three or four or however many there may have been that wounded him who was killed. But, though, there were twenty or thirty, yet no more than seven can be accused, and let each one of these who has been accused swear with his twelfth hand, and after the oath let him show himself innocent by the judgment of God in the ordeal of boiling water. Let the one who swore first go first to the ordeal, and so on in order. He who shall be found guilty by the ordeal, let him pay the composition for homicide, and to the king double his *wergild;* let the others who were his oath-helpers pay the fine for perjury as has been previously enacted.—Frisian Law, 800, A. D.

Reform of Innocent III

We believe you are not ignorant of how many times the bishop of Trent has been accused of simony. But the accusers though producing a writing were unable to bring forward witnesses according to canonical form to prove that he had given the church of St. Peter to the presbyter P. for four measures of corn. We decree to the common council of our brethren that he ought to purge himself of the aforesaid simony with three of his own order and four abbots and regular priests. Now the manner of purgation shall be as follows: First, the bishop shall swear on God's sacred Gospel that, for giving the church of St. Peter to the presbyter P., he has received no price personally of by the hand of a subordinate, nor to his knowledge has anyone accepted anything for him. Then the compurgators shall swear upon God's holy Gospel that they believe he has spoken the truth.

But those who are brought forward to purge another of infamy are held to affirm this alone by their oaths; namely, that they believe that he who is being purged speaks the truth.

JUDGMENTS OF GOD—ORDEALS

Formula for Conducting the Ordeal of Boiling Water

Let the priest go to the church with the prosecutors and with him who is about to be tried. And while the rest wait in the vestibule of

the church let the priest enter and put on the sacred garments except the chasuble and, taking the Gospel and the chrismarium and the relics of the saints and the chalice, let him go to the altar and speak thus to all the people standing near: Behold, brethren, the offices of the Christian religion. Behold the law in which is hope and remission of sins, the holy oil of the chrisma, the consecration of the body and blood of our Lord. Look that ye be not deprived of the heritage of such great blessing and of participation in it by implicating yourselves in the crime of another, for it is written, not only are they worthy of death who do these things but they that have pleasure in them that do them.

Then let him thus address the one who is to undertake the ordeal; I command thee, N., in the presence of all, by the Father, the Son, and the Holy Ghost, by the tremendous day of judgment, by the ministry of baptism, by thy veneration for the saints, that, if thou art guilty of this matter charged against thee, if thou hast done it, or consented to it, or hast knowingly seen the perpetrators of this crime, thou enter not into the church nor mingle in the company of Christians unless thou wilt confess and admit thy guilt before thou art examined in public judgment.

Then he shall designate a spot in the vestibule where the fire is to be made for the water, and shall first sprinkle the place with holy water, and shall also sprinkle the kettle when it is ready to be hung and the water in it, to guard against the illusions of the devil. Then, entering the church with the others, he shall celebrate the ordeal mass. After the celebration let the priest go with the people to the place of the ordeal, the Gospel in his left hand, the cross, censer and relics of the saints being carried ahead, and let him chant seven penitential psalms with a litany.

Prayer over the boiling water: O God, just Judge, firm and patient, who art the Author of peace, and judgest truly, determine what is right, O Lord, and make known Thy righteous judgment. O Omnipotent God, Thou that lookest upon the earth and makest it to tremble, Thou that by the gift of Thy Son, our Lord Jesus Christ, didst save the world and by His most holy passion didst redeem the human race, sanctify, O Lord, this water being heated by fire. Thou that didst save the three youths, Sidrac, Misac, and Abednago, cast into the fiery furnace at the command of Nebuchadnezzar, and didst lead them forth unharmed by the hand of Thy angel, do Thou O clement and most holy Ruler, give aid if he shall plunge his hand into

the boiling water, being innocent, and as Thou didst liberate the three youths from the fiery furnace and didst free Susanna from the false charge, so, O Lord, bring forth his hand safe and unharmed from this water. But if he be guilty and presume to plunge in his hand, the devil hardening his heart, let Thy holy justice deign to declare it, that Thy virtue may be manifest in his body and his soul be saved by penitence and confession. And if the guilty man shall try to hide his sins by the use of herbs or any magic, let Thy right hand deign to bring it to no account. Through Thy only begotten Son, our Lord Jesus Christ, who dwelleth with Thee.

Benediction of the water: I bless thee, O creature of water, boiling above the fire, in the name of the Father, and of the Son, and of the Holy Ghost, from whom all things proceed; I adjure thee by Him who ordered thee to water the whole earth from the four rivers, and who summoned thee forth from the rock, and who changed thee into wine, that no wiles of the devil or magic of men be able to separate thee from thy virtues as a medium of judgment; but mayest thou punish the vile and the wicked, and purify the innocent. Through Him whom hidden things do not escape and who sent thee in the flood over the whole earth to destroy the wicked and who will yet come to judge the quick and the dead and the world by fire. Amen.

Prayer: Omnipotent, Eternal God, we humbly beseech Thee in behalf of this investigation which we are about to undertake here amongst us that iniquity may not overcome justice but that falsehood may be subjected to truth. And if anyone seek to hinder or obscure this examination by any magic or by herbs of the earth, deign to bring it to naught by Thy right hand, O upright Judge.

Then let the man who is to be tried, as well as the kettle or pot in which is the boiling water, be fumed with the incense of myrrh, and let this prayer be spoken: O God, Thou who within this substance of water hast hidden Thy most solemn sacraments, be graciously present with us who invoke Thee, and upon this element made ready by much purification pour down the virtue of Thy benediction that this creature, obedient to Thy mysteries, may be endued with Thy grace to detect diabolical and human fallacies, to confute their inventions and arguments, and to overcome their multiform arts. May all the wiles of the hidden enemy be brought to naught that we may clearly perceive the truth regarding those things which we with finite senses and simple hearts are seeking from Thy judgment through invocation of Thy holy name. Let not the innocent, we beseech Thee, be unjustly condemned,

or the guilty be able to delude with safety those who seek the truth from Thee, who art the true Light, who seest in the shadowy darkness, and who makest our darkness light. O Thou who perceivest hidden things and knowest what is secret, show and declare this by Thy grace and make the knowledge of the truth manifest to us who believe in Thee.

Then let the hand that is to be placed in the water be washed with soap and let it be carefully examined whether it is sound; and before it is thrust in let the priest say: I adjure thee, O vessel, by the Father, and the Son, and the Holy Ghost, and by the holy resurrection, and by the tremendous day of judgment, and by the four Evangelists, that if this man be guilty of this crime either by deed or by consent, let the water boil violently, and do thou, O vessel, turn and swing.

After this let the man who is to be tried plunge in his hand, and afterwards let it be immediately sealed up. After the ordeal let him take a drink of holy water. Up to the time of the decision regarding the ordeal it is a good thing to mix salt and holy water with all his food and drink.—Eberhard of Bamburg.

Ordeal of Hot Water Undertaken by a Priest to Confute a Heretic

An Arian presbyter disputing with a deacon of our religion made venemous assertions against the Son of God and the Holy Ghost, as is the habit of that sex. But when the deacon had discoursed a long time concerning the reasonableness of our faith and the heretic, blinded by the fog of unbelief continued to reject the truth, according as it is written, "Wisdom shall not enter the mind of the wicked," the former said: "Why weary ourselves with long discussions? Let acts approve the truth; let a kettle be heated over the fire and someone's ring be thrown into the boiling water. Let him who shall take it from the heated liquid be approved as a follower of the truth, and afterwards let the other party be converted to the knowledge of this truth. And do thou also understand, O heretic, that this our party will fulfill the conditions with the aid of the Holy Ghost; thou shalt confess that there is no discordance, no dissimilarity in the Holy Trinity." The heretic consented to the proposition and they separated after appointing the next morning for the trial. But the fervor of faith in which the deacon had first made this suggestion began to cool through the instigation of the enemy. Rising with the dawn he bathed his arm in oil and smeared it with ointment. But nevertheless he made the round of the

sacred places and called in prayer on the Lord. What more shall I say? About the third hour they met in the market place. The people came together to see the show. A fire was lighted, the kettle was placed upon it, and when it grew very hot the ring was thrown into the boiling water. The deacon invited the heretic to take it out of the water first. But he promptly refused, saying, "Thou who didst propose this trial art the one to take it out." The deacon all of a tremble bared his arm. And when the heretic presbyter saw it besmeared with ointment he cried out: "With magic arts thou hast thought to protect thyself, that thou hast made use of these salves, but what thou hast done will not avail." While they were thus quarreling there same up a deacon from Ravenna named Iacinthus and inquired what the trouble was about. When he learned the truth he drew his arm out from under his robe at once and plunged his right hand into the kettle. Now the ring that had been thrown in was a little thing and very light so that it was thrown about by the water as chaff would be blown about by the wind; and searching for it a long time he found it after about an hour. Meanwhile the flame beneath the kettle blazed up mightily so that the greater heat might make it difficult for the ring to be followed by the hand; but the deacon extracted it at length and suffered no harm, protesting rather that at the bottom the kettle was cold while at the top it was just pleasantly warm. When the heretic beheld this he was greatly confused and audaciously thrust his hand into the kettle saying, "My faith will aid me." As soon as his hand had been thrust in all the flesh was boiled off the bones clear up to the elbow. And so the dispute ended.—Gregory of Tours.

Hincmar's Description of the Cold Water Ordeal

Now the one about to be examined is bound by a rope and cast into the water because, as it is written, each one shall be holden with the cords of his iniquity. And it is evident that he is bound for two reasons; to wit, that he may not be able to practice any fraud in connection with the judgment, and that he may be drawn out at the right time if the water should receive him as innocent, so that he perish not. For as we read that Lazarus, who had been dead four days (by whom is signified each one buried under a load of crimes), was buried wrapped in bandages and, bound by the same bounds, came forth from the sepulchre at the word of the Lord and was loosed by the disciples at his command; so he who is to be examined by this judgment is cast into the water bound, and is drawn forth again bound, and is either

immediately set free by the judgment of the judges, being purged, or remains bound till the time of his purgation and is then examined by the court. . . . . And in this ordeal of cold water whoever, after the invocation of God, who is the Truth, seeks to hide the truth by a lie, cannot be submerged in the waters above which the voice of the Lord God has thundered; for the pure nature of the water recognizes as impure and therefore rejects as inconsistent with itself such human nature as has once been regenerated by the waters of baptism and is again infected by falsehood.

Ordeal of Glowing Ploughshares Undergone by Queen Emma 1043, A. D.

The queen was brought at the king's command from Whewell to Winchester and throughout all the night preceding her trial she kept her virgil at the shrine of St. Swithin. . . . . On the appointed day the clergy and the people came to the church and the king himself sat on the tribunal. The queen was brought before her son and questioned whether she was willing to go through with what she had undertaken. . . . . Nine glowing ploughshares were placed on the carefully swept pavement of the church. After these had been consecrated by a short ceremony the queen's shoes and stockings were taken off; then her robe was removed and her cloak thrown aside, and, supported by two bishops, one on either side, she was led to the torture. The bishops who led her were weeping and those who were much more afraid than she were encouraging her not to fear. Uncontrollable weeping broke out all over the church and all voices were united in the cry "St. Swithin, O St. Swithin, help her!" If the thunder had pealed forth at this time the people would not have heard it, with such strength, with such a concourse of voices did the shout go up to Heaven that St. Swithin should now or never hasten to her aid. God suffers violence and St. Swithin is dragged by force from Heaven. In a low voice the queen offered this prayer as she undertook the ordeal: "O God, who didst free Susanna from the wicked elders and the three youths from the fiery furnace, from the fire prepared for me deign to preserve me through the merits of St. Swithin."

Behold the miracle! With the bishops directing her feet, in nine steps she walked upon the nine ploughshares, pressing each one of them with the full weight of her whole body; and though she thus passed over them all, she neither saw the iron nor felt the heat. Therefore she said to the bishops: "Am I not to obtain that which I espe-

cially sought? Why do you lead me out of the church when I ought to be tried within it?" For she was going out and yet did not realize that she had gone through the ordeal. To which the bishops replied as well as they could through their sobs: "O lady, behold, you have already done it; the deed is now accomplished which you think must yet be done." She gazed and her eyes were opened; then for the first time she looked about and understood the miracle. "Lead me," she said, "to my son, that he may see my feet and know that I have suffered no ill."

Law of Frederic II. Against the Ordeal

The laws which are called by certain ingenious persons *paribiles,* which neither regard nature nor give heed to the truth, We, who investigate the true science of laws and reject their errors, abolish from our tribunals; forbidding by the edict published under sanction of our name all the judges of our kingdom ever to impose on any of our faithful subjects these *paribiles* laws, which ought rather to be called laws that conceal the truth; but let them be content with ordinary proofs such as are prescribed in the ancient laws in our constitutions. Indeed, we consider that they deserve ridicule rather than instruction who have so little understanding as to believe that the natural heat of red-hot iron grows mild, nay, (what is more foolish) even turns to coldness without the working of an adequate cause; or who assert that on account of a troubled conscience alone a criminal does not sink into the cold water, when rather it is the holding in of sufficient air that does not allow of his being submerged.

JUDGMENT OF GOD—WAGER OF BATTLE

Example of Judicial Duel in Germany

1033 A. D.

The emperor having levied a force in Saxony marched upon the Luitzes, a people who were formerly half Christians but who have wickedly apostatized and are now become thorough pagans. In their district he put an end to an implacable strife in a wonderful manner. Between the Saxons and the pagans at that time fighting and raids were being carried on incessantly, and when the emperor came he began to inquire which side had first broken the peace that had long been observed inviolate between them. The pagans said that the peace had been disturbed first by the Saxons, and they would prove this by

the duel if the emperor would so direct. On the other side the Saxons pledged themselves to refute the pagans in like manner by single combat, though as a matter of fact their contention was untrue. The emperor after consulting his princes permitted the matter to be settled between them by a duel, though this was not a very wise act. Two champions, each selected by his own side, immediately engaged. The Christian, trusting in his faith alone, though faith without the works of justice is dead, began the attack fiercely without diligently considering that God, who is the Truth, who maketh His sun to shine upon the evil and the good, and the rain to fall upon the just and the unjust, decides all things by a true judgment. The pagan on the other hand resisted stoutly, having before his eyes only the consciousness of the truth for which he was fighting. Finally the Christian fell wounded by the pagan. Thereupon his party were seized with such elation and presumption that, had the emperor not been present, they would forthwith have rushed upon the Christians; but the emperor constructed the fortress Werben in which he placed a garrison of soldiers to check their incursions and bound the Saxon princes by an oath and by the imperial commands to a unanimous resistance against the pagans. Then he returned to Franconia.

Law of Frederic II. Abolishing Wager of Battle in Sicily

We will that the single combat, or duel as it is commonly called, shall never be adjudged between men subject to our jurisdiction, except in a few specified cases; for it cannot be called so much a real proof as a sort of divination, which is not in accord with nature but is opposed to universal law and inconsistent with just reason. For it is almost if not quite impossible for two champions to come together so equally matched that the one is not wholly superior to the other in strength or does not excel him in some other way by greater vigor and courage or at least in cleverness. But we exclude from the benefit of this humane edict murderers who are charged with having caused the death of others by using poison or some other secret means; and even against these we do not sanction the wager of battle at the beginning of the trial, but command that ordinary proofs be first adduced against them if there be any such at hand, and that only then, as a last resort, when the crime cannot be fully established by other proofs after a thorough investigation by the officials of the court, resort be had to the judgment of battle to decide the above charges: and we wish all these things to be arranged through the medium of a judge fully cognizant of the

proceedings, that he may carefully and diligently investigate the proofs brought out by the inquisition. And if the charges shall not be proved as stated let him grant the accuser permission to offer battle, if nothing was brought out in court prejudicial to the accuser's right. But if the accuser should first offer to prove the crime by witnesses and their testimony should be insufficient, the trial shall not take place by the double method of inquisition and battle, but the defendant, not being convicted of guilt and being presumably innocent, shall be set free; because we wish the same law to be observed among all, both Franks and Lombards, and in all cases. In our new constitution, indeed, wager of battle has been sufficiently recognized in the case of the knights and nobles of our kingdom and of others who are able to offer battle. For we except the crime of treason, respecting which we preserve the judicial duel. Nor is it strange if we subject traitors, secret murderers and poisoners to the duel (though not so much as a method of judgment as to terrify them); not because our Serenity deems that just in their case which it has declared unjust in others, but because we desire that such homicides as have not feared to lay secret plots against human life, which God's power alone can call into existence, should be publicly subjected to this terrible method of proof in the sight of all men as a punishment and an example to others. Those also we exclude from the terms of our leniency who do not hesitate to plot against our peace in which the peace of all the rest is involved.

(Many of the above feudal documents are from the University of Penn. Translation & Reprints, translated by Edw. P. Cheyney.)

THE CHURCH EMPIRE

THE GROWTH of the Church Empire on the spiritual side has been illustrated in the letter of Leo I. on the Petrine theory of the papacy, its temporal beginning was shown in the pope's transactions with the kings of the Franks. The first great struggle between pope and emperor came, however, in the time of Gregory VII. He was the son of a carpenter of Tuscany and was born about 1020 A. D. For some years he was in a monastery in France, but in 1049 was called to Rome. As early as 1059 he was the chief adviser behind the papal chair, and in 1073 was himself chosen pope. The emperor of the Holy Roman Empire, including Germany, Austria and Italy, was at that time Henry IV. Gregory's ideas are best explained in his Program given below. In 1075 a Roman synod decided in favor of celebacy, and inveighed against simony, i. e., the purchase of church offices; and lay investiture, the appointment or election by a king of one of his lords as bishop or archbishop. As the bishops were councillors of the king and held estates the same as the barons, it will be seen that the prohibition of lay investiture would not only free the church from the emperor, but put much of the emperor's possessions under the direct power of the Church. The synod excommunicated five of Henry's councillors for simony. Henry continued to consort with them, whereupon Gregory sent him the letter of censure given below. Thereupon Henry in a rage, calling a council of the German bishops at Worms, declared Gregory deposed. The feeling of the combatants is shown in the letters given below. The pope and his synod in turn banned the whole council and declared Henry deposed. The emperor called another council at Worms, but there had long been a strong opposition

to him in his own land, and this took advantage of his excommunication so that the council was but little attended. The opposition held a diet and forced Henry to agree to give obedience to the pope. Henry sought the pope at Canossa and, after standing for three days clothed in sack cloth and barefooted in the snow, on the fourth obtained the removal of his excommunication. The opposition at home elected an anti-king, but the pope was now neutral and Henry was stronger than his rival. In 1080, however, Gregory claimed Henry would not consider calling a council to put an end to the war, and again excommunicated him. The excommunication this time fell in the midst of a civil war, and Henry's party were only made the bolder. Gregory was declared deposed and driven into exile, and a pope set up by Henry crowned him emperor. The struggle was at last compromised by Pope Calixtus and Henry's son in the Concordat of Worms, 1122 A. D., as given below.

Innocent III., who was pope from 1198 to 1216, again raised the papacy to the supreme power, both temporal and spiritual, of Europe. He compelled Frederick I., Barbarossa (1152-1190), to acknowledge his supremacy, forced Philip Augustus (1180-1223) of France, to take back his wife, and made John of England (1199-1216) give him England and receive it back as a fief after a promise to pay 1000 marks a year as a sign of his vassalage.

At the beginning of the fourteenth century, however, the temporal power of the papacy began to wane. Philip the Fair of France successfully resisted the power of Pope Boniface VIII. (1294-1303), and soon afterward got the seat of the papacy removed from Rome to Avignon (1309). This put the papacy under the influence of the French kings, and it lost its international character. In 1378 the Italian party also elected a pope. The schism was not closed until 1414. During the fifteenth century the papacy was again a power with which no king cared to cope unless sure he had his people behind him.

In addition to illustrating the struggle of the Church for temporal power, we show the start of the crusades, those great movements that she led against the Mohammedans; notice the schools of the time; and illustrate the unsuccessful beginnings of the revolt against her spiritual dominion in the time of Wyclif. Later, we exemplify the work of Thomas Aquinas as the best representative of the philosophy of the Church, and the groping of the scholastic Roger Bacon for an experimental basis for science.

THE STRUGGLE BETWEEN CHURCH AND STATE

THE PROGRAMME OF POPE GREGORY VII.

1073 A. D.-1085 A. D.

1. That the Roman church was founded by God alone.

2. That the Roman pope alone is rightly called universal.

3. That he alone can depose and reinstate bishops.

4. That his legate, even of lower rank, presides over all bishops in council, and is able to declare sentence of deposition against them.

5. That the pope can depose those who are absent.

6. That we should not associate with, nor even be in the same house with those who have been excommunicated by him.

7. That it is permitted to him alone to make new laws according to the necessity of the time, to make new congregations, to make an abbey out of a canonry and vice versa, to divide rich bishoprics, and to unite poor ones.

8. That he alone may use the imperial insignia.

9. That all princes should kiss the feet of the pope alone.

10. That his name alone shall be read in the churches.

11. That his name is unique in the world.

12. That he can depose emperors.

13. That he can transfer bishops from one see to another as necessity demands.

14. That he can ordain a clergyman from any church whenever he wishes.

15. That the one ordained by him may preside over another church but may not engage in war, nor should he accept a higher rank from any bishop.

16. That no synod can be called a general synod without his command.

17. That no regulation, and no book can be held to be canonical without his authority.

18. That his decision should be annulled by no one, and that he

alone can annul the decisions of all.

19. That he can be judged by no one.

20. That no one should presume to condemn the man who appeals to the apostolic see.

21. That the principal cases of each church should be referred to him.

22. That the Roman church has never erred, and will never err in all the future, according to the Witness of the Scripture.

23. That the Roman pope who has been canonically ordained undoubtedly becomes a saint, by the merits of St. Peter, according to the witness of St. Ennodius, bishop of Pavia, and the opinions of many of the holy fathers, as is contained in the decrees of St. Symmachus the Pope.

24. That by his command and permission subjects may accuse their rulers.

25. That he can depose and reinstate bishops without calling a synod.

26. That he who does not agree with the Roman church is not to be regarded as a Catholic.

27. That he is able to absolve subjects from their oath of fealty to wicked rulers.

DECLARATIONS OF THE CHURCH

Prohibition of lay investiture.

If anyone henceforth receives a bishopric or an abbey from the hand of any layman, let him never be counted among the bishops or abbots, nor have any audience with a bishop or an abbot; and we especially interdict to him the grace of St. Peter and entrance into the church, as long as he does not come to his senses and leave the place which he gained through the crime of ambition and disobedience, which is the sin of idolatry. We decree similarly also concerning the inferior ecclesiastical dignitaries. Moreover, if any emperor, king, duke, marquis, count, or any power or person shall presume to give the investiture of bishoprics or any ecclesiastical dignity, let him know that he is bound by the same sentence.

6. No cleric or presbyter may receive from a layman a church, neither for money nor for any other consideration.—Encyclical, 1059.

Celebacy.

3. No one shall attend the mass celebrated by a priest whom he knows without doubt to have a concubine or a woman kept secretly. The priest, deacon, or subdeacon, however, who after the appearance of the prohibition of our holy predecessor, Leo, has openly taken a concubine or has not dismissed the one he had before that, we forbid in the name of God and the apostles Peter and Paul to sing the mass or read the gospel or epistle. He may not have his place in the presbytery or have any share in the income of the church, until a decision has been given by us in the matter.—Encyclical, 1059.

Simony.

9. No one may be ordained or endowed with a church office through simony.—Encyclical Nicholas II.

Those who have been promoted to any rank or office of sacred orders by the heresy of simony, that is, by paying money for it, shall have no right of serving further in the holy church. And let those who have obtained churches by paying money for them, lose them, and let them never be permitted to sell or buy from anyone again. Nor shall those who are guilty of fornication celebrate the mass or even serve the altar in lower orders. We also decree that if these persons treat contemptuously our commands and those of the holy fathers in this matter, their people shall never accept their offices in any way, so that those who are not corrected by the love of God and the dignity of their office may be brought to their senses by the fear of the world and the contempt of the people.—Gregory VII. to Otto, Bishop of Constance.

Annual Confession.

Every believer of both sexes, after arriving at years of discretion, should faithfully confess all his sins alone to his own priest, at least once a year, and should strive to perform according to his power the penance enjoined upon him, receiving reverently the sacrament of the eucharist at least at Easter, unless by the advice of his own priest for some good reason he decides that he should abstain from receiving it for the time; if he does otherwise let him be kept from going into church while living, and be deprived from Christian sepulture when he is dead. Therefore let this salutary decree be frequently made public in the churches, lest any one should assume the veil of excuse by pleading ignorance. But if any one wishes for a good reason to confess his sins to another priest than his own, let him first ask and obtain the privilege from his own priest, since otherwise the other

priest has no power to free or to bind him. But let the priest be discreet and careful, that, like a skilled physician, he may pour wine and oil into the wounds of the injured, diligently inquiring the circumstances both of the sinner and the sin, by which he may know better what advice to offer and what medicine to administer, using various means for healing the sick. But let him be very careful never to betray the sinner by word or sign or in any way whatever; but if he feel the need of wiser counsel let him seek cautiously without any reference to the person, since we decree that he who has presumed to reveal the sin made known to him in cofession shall not only be deposed from his priestly office, but shall also be subjected to monastic imprisonment and perpetual penance.—Lat. Council IV., 1215.

Transsubstantiation.

There is one universal church of believers, outside of which no one is saved. In this church Jesus Christ is at once priest and sacrifice; His body and blood in the sacrament of the altar are truly contained under the appearance of the bread and the wine, the bread being transubstantiated into the body and the wine into the blood by divine power; so that to perfect the mystery of the unity we receive from Him what He took from us [that is, the human form in His incarnation]. And no one can perform this sacrament but the priest who has been properly ordained according to the keys of the church which Jesus Christ Himself conferred upon the apostles and their successors, —Lat. Council IV., 1215.

THE STRUGGLE BETWEEN GREGORY VII AND HENRY IV

Letter of Gregory VII. to Henry IV. Dec. 1075

Bishop Gregory, servant of the servants of God, to King Henry, greeting and apostolic benediction:—that is, if he be obedient to the apostolic chair as beseems a Christian king. Considering and carefully weighing with what strict judgment we shall have to render account for the ministry entrusted to us by St. Peter, chief of the apostles, it is with hesitation that we have sent unto thee the apostolic benediction. For thou art said knowingly to exercise fellowship with those excommunicated by a judgment of the apostolic chair, and by sentence of a synod. If this be true, thou dost know thyself that thou may'st receive the favour neither of the divine nor of the apostolic benediction unless—those who have been excommunicated being sep-

arated from thee, and compelled to do penance—thou do first, with condign repentance and satisfaction, seek absolution and indulgence for thy transgression. Therefore we counsel thy Highness that, if thou dost feel thyself guilty in this matter, thou do seek the advice of some canonical bishop with speedy confession. Who, with our permission enjoining on thee a proper penance for this fault, shall absolve thee and shall endeavour by letter to intimate to us truly, with thy consent, the measure of thy penitence.

For the rest it seems strange enough to us that, although thou dost transmit to us so many and such devoted letters; and although thy Highness dost show such humility through the words of thy legates—calling thyself the son of holy mother church and of ourselves, subject in the faith, one in love, foremost in devotion;—although, finally, thou dost commend thyself with all the devotion of sweetness and reverence: thou dost, however, at heart and in deeds most stubborn, show thyself contrary to the canonical and apostolic decrees in those things which the religion of the church enjoins as the chief one. For, not to mention other things, in the affair of Milan the actual outcome of the matter shows plainly how thou didst carry out—and with what intent thou didst make them—the promises made to us through thy mother and through our confrères the bishops whom we sent to thee. And now, indeed, inflicting wound upon wound, contrary to the establishments of the apostolic chair, thou hast given the churches of Fermo and Spoleto—if indeed a church could be given or granted by a man—to certain persons not even known to us. On whom, unless they are previously well known and proven, it is not lawful even regularly to perform the laying on of hands.

Since thou dost confess thyself a son of the church it would have beseemed thy royal dignity to look more respectfully upon the master of the church,—that is, St. Peter, the chief of the apostles. To whom, if thou art of the Lord's sheep, thou wast given over by the Lord's voice and authority to be fed; Christ Himself saying: "Peter, feed my sheep." And again: "To thee are given over the keys of the kingdom of Heaven, and whatsoever thou shalt bind upon earth shall be bound also in Heaven; and whatsoever thou shalt loose upon earth shall be loosed also in Heaven." Inasmuch as in his seat and apostolic ministration we, however sinful and unworthy, do act as the representative of his power: surely he himself has received whatever, through writing or in bare words, thou hast sent to us. And at the very time when we are either perusing the letters or listening to the

voices of those who speak, he himself is discerning, with subtile inspection, in what spirit the instructions were issued. Wherefore thy Highness should have seen to it that no discrepancy of good will should have been found towards the apostolic chair in thy words and messages. And, in those things through which the Christian faith and the state of the church chiefly progress towards eternal salvation, thou should'st not have denied the reverence due, not to us, but to God Almighty—disregarding the fact that the Lord saw fit to say to the apostles and their successors: "Who hears you, hears me; and who scorns you, scorns me." For we know that he who does not refuse to show faithful obedience to God, does not scorn to observe our commands—even as if He had heard them from the lips of the apostle himself—and the things which, following the decrees of the holy fathers, we may have said. For if, out of reverence for the chair of Moses, the Lord ordered the apostles to observe whatever the scribes and Pharisees sitting above them should say: it is not to be doubted but that the apostolic and evangelic teaching, the seat and foundation of which is Christ, should be received—and observed—by the faithful with all veneration from the lips of those who have been chosen for the service of preaching.

In this year, indeed,—a synod being assembled around the apostolic chair, over which the heavenly dispensation willed that we should preside; at which, moreover, some of thy faithful subjects were present: seeing that the good order of the Christian religion has now for some time been falling away, and that the chief and proper methods of gaining souls had long fallen into abeyance and, the devil persuading, been trampled under foot, we, struck by the danger and the clearly approaching ruin of the Lord's flock, reverted to the decrees and to the teachings of the holy fathers—decreeing nothing new, nothing of our own invention. We did decree, however, that, error being abandoned, the first and only rule of ecclesiastical discipline was again to be followed, and the well-worn way of the saints to be re-sought. Nor indeed do we know of any other entrance to salvation and eternal life which lies open to the sheep of Christ and their shepherds, save the one which, as we have learned in the gospel and in every page of the divine Scriptures, was shown by Him who said: "I am the door, he who entereth through me shall be saved and shall find pasture," was preached by the apostles and followed by the holy fathers. This decree, moreover, which some, preferring human to divine honours, do call an unbearable weight and immense burden—we, however, by a

more suitable name, as a necessary truth and light for regaining salvation—we did judge should be devoutly received and observed, not only by thee and by those of thy kingdom, but by all the princes and peoples of the world who confess and cherish Christ. Although we much desired, and it would have most beseemed thee, that, as thou dost surpass others in glory, honour and valour, so thou should'st be superior in thy devotion to Christ. Nevertheless, lest these things should seem beyond measure burdensome or wrong to thee, we did send word to thee through thy faithful servants that the changing of an evil custom should not alarm thee; that thou should'st send to us wise and religious men from thy land, to whose counsels we would yield, if, saving the honour of the Eternal King and without danger to our souls, we might moderate the decree as passed by the holy fathers. In which matter, indeed, even though thou had'st not been so amicably admonished by us, it would nevertheless have been but right that, before thou did'st violate apostolic decrees, thou should'st, by negotiation, make demands from us in cases where we oppressed thee or stood in the way of thy prerogatives. But of how much worth thou did'st consider either our commands or the observance of justice, is shown by those things which were afterwards done and brought about by thee.

But since, inasmuch as the still long-suffering patience of God invites thee to amend thy ways, we have hopes that, thy perception being increased, thy heart and mind can be bent to the obedience of the mandates of God: we warn thee with paternal love, that, recognizing over thee the dominion of Christ, thou do reflect how dangerous it is to prefer thine own honour to His; and that thou do not impede, by thy present detraction from it, the liberty of the church which He considered worthy to join to Himself as His spouse in celestial union; but that thou do begin, with faithful devotion, to lend it the aid of thy valour, in order that it may best increase to the honour of God Almighty and of St. Peter; by whom also thy glory may deserve to be increased. All of which, in return for the victory recently conferred upon thee over thy enemies, thou should'st recognize to be now most clearly due from thee to them; so that, when they reward thee with noteworthy prosperity, they may see thee the more devout for the benefits granted. And, in order that the fear of God, in whose hand and power is every kingdom and empire, may remain fixed in thy heart more deeply than our admonition, bear in mind what happened to Saul after the victory which, by the prophet's order, he enjoyed; and how he was chidden by God when he boasted of his victory,

not carrying out the commands of that same prophet; but what favour followed David for the merit of humility amid the distinctions of valour.

Finally, as to the things which we have seen and noted in thy letter we keep silent; nor will we give thee a sure reply until thy legates, Rapoto, Aldepreth and Udescalc, and those whom we sent with them shall return to us and more fully reveal thy will to us in those matters which we entrusted to them to treat of with thee.

Given at Rome on the 6th day before the Ides of January, in the 14th indiction.

Henry IV's Answer to Gregory VII., Jan. 24, 1076

Henry, king not through usurpation but through the holy ordination of God, to Hildebrand, at present not pope but false monk. Such greeting as this hast thou merited through thy disturbances, inasmuch as there is no grade in the church which thou hast omitted to make a partaker not of honour but of confusion, not of benediction but of malediction. For, to mention few and especial cases out of many, not only hast thou not feared to lay hands upon the rulers of the holy church, the anointed of the Lord—the archbishops, namely, bishops and priests—but thou hast trodden them under foot like slaves ignorant of what their master is doing. Thou hast won favour from the common herd by crushing them; thou hast looked upon all of them as knowing nothing, upon thy sole self, moreover, as knowing all things. This knowledge, however, thou hast used not for edification, but for destruction; so that with reason we believe that St. Gregory, whose name thou hast usurped for thyself, was prophesying concerning thee when he said: "The pride of him who is in power increases the more, the greater the number of those subject to him; and he thinks that he himself can do more than all." And we, indeed, have endured all this, being eager to guard the honour of the apostolic see; thou, however, hast understood our humility to be fear, and hast not, accordingly, shunned to rise up against the royal power conferred upon us by God, daring to threaten to divest us of it. As if we had received our kingdom from thee! As if the kingdom and the empire were in thine and not in God's hand! And this although our Lord Jesus Christ did call us to the kingdom, did not, however, call thee to the priesthood. For thou hast ascended by the following steps. By wiles, namely, which the profession of monk abhors, thou hast achieved money; by money, favour; by the sword, the throne of peace.

And from the throne of peace thou hast disturbed peace, inasmuch as thou hast armed subjects against those in authority over them; inasmuch as thou, who wert not called, hast taught that our bishops called of God are to be despised; inasmuch as thou hast usurped for laymen the ministry over their priests, allowing them to depose or condemn those whom they themselves had received as teachers from the hand of God through the laying on of hands of the bishops. On me also who, although unworthy to be among the anointed, have nevertheless been anointed to the kingdom, thou hast lain thy hand; me who —as the tradition of the holy Fathers teaches, declaring that I am not to be deposed for any crime unless, which God forbid, I should have strayed from the faith—am subject to the judgment of God alone. For the wisdom of the holy fathers committed even Julian the apostate not to themselves, but to God alone, to be judged and to be deposed. For himself the true pope, Peter, also exclaims: "Fear God, honour the king." But thou who dost not fear God, dost dishonour in me His appointed one. Wherefore St. Paul, when he has not spared an angel of Heaven if he shall have preached otherwise, has not excepted thee also who dost teach otherwise upon earth. For he says: "If any one, either I or an angel from Heaven, should preach a gospel other than that which has been preached to you, he shall be damned. Thou, therefore, damned by this curse and by the judgment of all our bishops and by our own, descend and relinquish the apostolic chair which thou hast usurped. Let another ascend the throne of St. Peter, who shall not practice violence under the cloak of religion, but shall teach the sound doctrine of St. Peter. I Henry, king by the grace of God, do say unto thee, together with all our bishops: Descend, descend, to be damned throughout the ages.

Letter of the Bishops to Gregory VII., Jan. 24, 1076

Siegfried archbishop of Mainz, Udo of Treves, William of Utrecht, Herrman of Metz, Henry of Laudun, Ricbert of Verdun, Bibo of Touls, Hozemann of Spires, Burkhard of Halberstadt, Werner of Strasburg Burkhard of Basel, Otto of Constance, Adalbero of Wurzburg, Rodbert of Bamberg, Otto of Ratisbon, Ellinard of Frising, Odalric of Eichstädt, Frederick of Münster, Eilbert of Minden, Hezil of Hildesheim, Benno of Osnabrück, Eppo of Naples, Imadus of Paderborn, Tiedo of Brandenburg, Burkhard of Lausanne, Bruno of Verona: to brother Hildebrand.

Although it was well known to us, when thou didst first invade

the helm of the church, what an unlawful and nefarious thing thou, contrary to right and justice, wast presuming with thy well-known arrogance to do: we nevertheless thought best to veil the so vicious beginnings of thy elevation by a certain excusatory silence; hoping, namely, that such wicked commencements would be rectified, and to some degress obliterated by the probity and zeal of the rest of thy reign. But now, as the lamentable state of the church universal proclaims and bemoans, thou dost, with pertinacious continuance, fulfill the promises of thy evil beginnings through the still worse progress of thy actions and decrees. For although our Lord and Savior impressed upon his faithful followers the special advantages of peace and charity—in testimony of which too many proofs exist to be comprised in the extent of a letter—thou, on the contrary, striving after profane novelties, delighting more in a widely known than in a good name, being swelled with unheard of pride, hast, like a standard-bearer of schism, torn with proud cruelty and cruel pride all the members of the church, which, following the apostle, were enjoying a quiet and tranquil life before thy times. Thou hast, with raging madness, scattered through all the churches of Italy, Germany, Gaul and Spain the flame of discord which, through thy ruinous factions, thou didst start in the Roman church. For by taking away from the bishops, as well as thou wast able, all the power which is known to have been divinely conferred upon them through the grace of the holy Spirit, which chiefly manifests itself in ordinations; and by giving over to the fury of the people all the administration of ecclesiastical affairs—seeing that now no one is bishop or priest over any one unless he has bought this by most unworthy assent from thy magnificence—thou hast disturbed, with wretched confussion, all the vigour of the apostolic institution and that most beautiful distribution of the members of Christ which the Teacher of the nations so often commends and inculcates. And thus, through these thy bloated decrees,—we can not speak of it without tears—the name of Christ has almost perished. Who, moreover, for he very indignity of the thing, is not astounded that thou should'st usurp and arrogate to thyself a certain new and unlawful power in order to destroy rights which are the due of the whole brotherhood? For thou dost assert that no one of us shall have any further power of binding or loosing any one of our parishioners whose crime, or even the mere rumour of it, shall reach thee—save thou alone, or him whom thou dost especially delegate for this purpose. What man that is learned in the sacred Scripture does not see the more than madness

of this decree? Since, therefore, we have decided that it is worse than any evil longer to tolerate that the church of God should be so seriously endangered—nay, almost ruined—through these and other workings of thy presumption,—we have agreed, by common consent of all of us, to make known to thee that about which we have hitherto kept silent: why it is that thou neither now may'st, nor at any time could'st preside over the apostolic see. Thou thyself, in the time of the emperor Henry (III.) of blessed memory, did'st bind thyself by an oath in person, never while that emperor lived, or his son our master the most glorious king who is now at the head of affairs, thyself to accept the papacy, or, so far as thou could'st prevent it, to permit any one else to receive it without the assent and approbation either of the father during his life or of the son so long as he too should live. And there are very many bishops who can to-day bear witness to this oath, having seen it at that time with their eyes and heard it with their ears. Remember this also, how, when the ambition of securing the papacy tickled some of the cardinals, thou thyself, in order to remove rivalry, did'st bind thyself by an oath, on the condition and with the understanding that they should do the same, never to accept the papacy. See how faithfully thou hast observed both these oaths! Moreover, when, in the time of Pope Nicholas, a synod was held with 125 bishops in session, this was established and decreed: that no one should ever become pope except by election of the cardinals, with the approbation of the people and through the consent and authority of the king. And thou thyself wast the author, the sponsor and the signer of this decree. Furthermore thou hast filled the whole church, as it were, with the ill odour of a most grave charge concerning the too familiar living together and cohabitation with a strange woman. By which thing our sense of shame suffers more than our cause, although this general complaint has resounded every where: that all the decrees of the apostolic see have been set in motion by women—in a word, that through this new senate of women the whole circle of the church is administered. For an amount of complaining suffices concerning the injuries and insults against bishops whom thou most unworthily dost call sons of harlots and the like. Since, therefore, thy accession has been inaugurated by such perjuries; since, through the abuse of thy innovations, the church of God is in danger through so severe a storm; and since thou has defiled thy life and conversation with such manifold infamy: we renounce the obedience which we never promised to thee, nor shall we in future at all observe it. And

since, as thou did'st publicly proclaim, not one of us has been to thee thus far a bishop, so also shalt thou henceforth be pope for none of us.

First Deposition and Banning of Henry IV. by Gregory VII., February 22, 1076

O St. Peter, chief of the apostles, incline to us, I beg, thy holy ears, and hear me thy servant whom thou hast nourished from infancy, and whom, until this day, thou hast freed from the hand of the wicked, who have hated and do hate me for my faithfulness to thee. Thou, and my mistress the mother of God, and thy brother St. Paul are witnesses for me among all the saints that thy holy Roman church drew me to its helm against my will; that I had no thought of ascending thy chair through force, and that I would rather have ended my life as a pilgrim than, by secular means, to have seized thy throne for the sake of earthly glory. And therefore I believe it to be through thy grace and not through my own deeds that it has pleased and does please thee that the Christian people, who have been especially committed to thee, should obey me. And especially to me, as thy representative and by thy favour, has the power been granted by God of binding and loosing in Heaven and on earth. On the strength of this belief therefore, for the honour and security of thy church, in the name of Almighty God, Son and Holy Ghost, I withdraw, through thy power and authority, from Henry the king, son of Henry the emperor, who has risen against thy church with unheard of insolence, the rule over the whole kingdom of the Germans and over Italy. And I absolve all Christians from the bonds of the oath which they have made or shall make to him; and I forbid any one to serve him as king. For it is fitting that he who strives to lessen the honour of thy church should himself lose the honour which belongs to him. And since he has scorned to obey as a Christian, and has not returned to God whom he had deserted—holding intercourse with the excommunicated; practising manifold iniquities; spurning my commands which, as thou dost bear witness, I issued to him for his own salvation; separating himself from thy church and striving to rend it—I bind him in thy stead with the chain of the anathema. And, leaning on thee, I so bind him that the people may know and have proof that thou art Peter, and above thy rock the Son of the living God hath built His church, and the gates of Hell shall not prevail against it.

Promise of the King to offer Obedience to the Pope

Being admonished to do so by the counsel of our faithful ones, I promise to observe in all things the obedience due to the apostolic see and to thee, Pope Gregory, and will take care devoutly to correct and to render satisfaction for anything whereby a derogation to the honour of that same see, or to thine, has arisen through us. Since, moreover, certain very grave charges are brought against us concerning attempts which I am supposed to have made against that same see and against thy reverence: these, at a suitable time, I will either refute by the help of innocence and by the favour of God, or, failing this, I will at length willingly undergo a suitable penance for them. It behooves thy holiness also, moreover, not to veil those things which, spread abroad concerning thee, cause scandal to the church—but rather, by removing this scruple too from the public conscience, to establish through thy wisdom the universal tranquillity of the church as well as of the kingdom.—Convention of Oppenheim.

Edict Cancelling the Sentence against Gregory VII., October, 1076

Henry, king by the grace of God, sends to the archbishops, bishops, margraves, counts and dignitaries of every rank the honourable distinction of his goodwill. Inasmuch as we have been brought to recognize, through the representations of our faithful ones, that we have been wanting in clemency, in some regards, towards the apostolic see and its venerable bishop, Pope Gregory: it has pleased us, in accordance with healthful counsel, to change our former sentence and to observe, after the manner of our predecessors and progenitors, due obedience in all things to the holy see and to him who is known to preside over it, our master Gregory the pope. And if we have presumed to act too severely against him we will atone for it by rendering fitting satisfaction. We will, moreover, that ye also, warned by our Highness's example, do not hesitate to render solemn satisfaction to St. Peter and to his vicar; and that those of you who understand themselves to be bound by his bann do strive to be solemnly absolved by him—by our master, namely, Gregory the pope.

Gregory VII.'s Letter to the German Princes Concerning the Penance of Henry IV. at Canossa (1077)

Bishop Gregory, servant of the servants of God, to all the arch-

bishops, bishops, dukes, counts and other princes of the realm of the Germans who defend the Christian faith, greeting and apostolic benediction.

Inasmuch as for love of justice ye assumed common cause and danger with us in the struggle of Christian warfare, we have taken care to indicate to you, beloved, with sincere affection, how the king, humbled to penance, obtained the pardon of absolution and how the whole affair has progressed since his entry into Italy up to the present time.

As had been agreed with the legates who had been sent to us on your part, we came into Lombardy about twenty days before the date on which one of the commanders was to come over the pass to meet us, awaiting his advent that we might cross over to the other side. But when the term fixed upon had already passed, and we were told that at this time on account of many difficulties—as we can readily believe—an escort could not be sent to meet us, we were involved in no little care as to what would be best for us to do, having no other means of crossing to you.

Meanwhile, however, we learned for certain that the king was approaching. He also, before entering Italy, sent on to us suppliant legates, offering in all things to render satisfaction to God, to St. Peter and to us. And he renewed his promise that, besides amending his life, he would observe all obedience if only he might merit to obtain from us the favour of absolution and the apostolic benediction. When, after long deferring this and holding frequent consultations, we had, through all the envoys who passed, severely taken him to task for his excesses: he came at length of his own accord, with a few followers, showing nothing of hostility or boldness, to the town of Canossa where we were tarrying. And there, having laid aside all the belongings of royalty, wretchedly, with bare feet and clad in wool, he continued for three days to stand before the gate of the castle. Nor did he desist from imploring with many tears the aid and consolation of the apostolic mercy until he had moved all of those who were present there, and whom the report of it reached, to such pity and depth of compassion that, interceding for him with many prayers and tears, all wondered indeed at the unaccustomed hardness of our heart, while some actually cried out that we were exercising, not the gravity of apostolic severity, but the cruelty, as it were, of a tyrannical ferocity.

Finally, conquered by the persistency of his compunction and by the constant supplications of all those who were present, we loosed

the chain of the anathema and at length received him into the favour of communion and into the lap of the holy mother church, those being accepted as sponsors for him whose names are written below. And of this transaction we also received a confirmation at the hands of the abbot of Cluny, of our daughters Matilda and the countess Adelaide, and of such princes, episcopal and lay, as seemed to us useful for this purpose.

Having thus accomplished these matters, we desire at the first opportunity to cross over to your parts in order that, by God's aid, we may more fully arrange all things for the peace of the church and the concord of the kingdom, as has long been our wish. For we desire, beloved, that ye should know beyond a doubt that the whole question at issue is as yet so little cleared up—as ye can learn from the sponsors mentioned—that both our coming and the unanimity of your counsels are extremely necessary. Wherefore strive ye all to continue in the faith in which ye have begun and in the love of justice and know that we are not otherwise bound to the king save that, by word alone as is our custom, we have said that he might have hopes from us in those matters in which, without danger to his soul or to our own, we might be able to help him to his salvation and honour either through justice or through mercy.

Oath of Henry, King of the Germans

I, king Henry, on account of the murmuring and enmity which the archbishops and bishops, dukes, counts and other princes of the realm of the Germans, and others who follow them in the same matter of dissension, bring to bear against me, will, within the term which our master Pope Gregory has constituted, either do justice according to his judgment or conclude peace according to his counsels—unless an absolute impediment should stand in his way or in mine. And on the removal of this I shall be ready to continue in the same course. Likewise, if that same lord Pope Gregory shall wish to go beyond the mountains or to any other part of the world, he himself, as well as those who shall be in his escort or following or who are sent by him or come to him from any parts of the world whatever, shall be secure, while going, remaining or returning, on my part and on the part of those whom I can constrain, from every injury to life or limb, or from capture. Nor shall he by my consent have any other hindrance which is contrary to his dignity; and if any such be placed in

his way I will aid him according to my ability. So help me God and this holy gospel.

Given at Canossa on the 5th day before the Calends of February (Jan. 28), in the 15th indiction, in the year of our Lord Jesus Christ 1077—there being present the bishops Humbert of Praeneste and Gerald of Ostia; the Roman cardinals Peter of the title of St. Chrisogonus and Cono of the title of St. Anastasius; the Roman deacons Gregory and Bernard, and the sub-deacon Humbert. Likewise, on the part of the king, there were present the archbishop of Bremen, the bishops of Vercelli and Osnabruck, the abbot of Cluny and many noble men.

Concordat of Worms, Sept. 23rd, 1122

I bishop Calixtus, servant of the servants of God, do grant to thee beloved son, Henry—by the grace of God august emperor of the Romans—that the elections of the bishops and abbots of the German kingdom, who belong to the kingdom, shall take place in thy presence, without simony and without any violence; so that if any discord shall arise between the parties concerned, thou, by the counsel or judgment of the metropolitan and the co-provincials, mayst give consent and aid to the party which has the more right. The one elected, moreover, without any exaction may receive the regalia from thee through the lance, and shall do unto thee for these what he rightfully should. But he who is consecrated in the other parts of thy empire (*i.e.* Burgundy and Italy) shall, within six months, and without any exaction, receive the regalia from thee through the lance, and shall do unto thee for these what he rightfully should. Excepting all things which are known to belong to the Roman church. Concerning matters, however, in which thou dost make complaint to me, and dost demand aid,—I, according to the duty of my office, will furnish aid to thee. I give unto thee true peace, and to all who are or have been on thy side in the time of this discord.

THE CRUSADES

In the eleventh century the Seljukian Turks gained the power in the eastern Mohammedan world, and their fanatical intolerance not only blighted Arabian civilization, but put the lives of the Christians

in Asia Minor in daily jeopardy. They menaced Constantinople and forced the eastern emperor to beg Pope Urban for help. Peter the Hermit had already traversed Italy and France telling the story of the cruelties suffered by Christian dwellers and pilgrims in the land of the Turks, and Urban called a council at Placentia, then another at Clermont, to devise means for aid. The appeals of pope and hermit fired the vast assemblage and its acclamations inaugurated the first of these holy wars.

A special truce was established throughout the land, and special immunities and rewards were promised to those that should take part. For the next year all western Europe seethed with the preparations. Peter the Hermit and Walter the Penniless with two over-zealous mobs of forty thousand each succeeded after various disasters in reaching Constantinople. The principal force of 100,000 knights and 600,000 foot followed after under Gofdrey of Bouillon and other famous nobles. Nice, the Turkish capital, was captured. Then they took Antioch after a siege of seven months, and in a burst of fanatical enthusiasm at the finding of a lance supposed to be the one that pierced the Savior, the remnant of them drove off a host of 200,000 Moslems. At last, in 1099, they captured Jerusalem, and put the Moslem inhabitants to the sword. Only 25,000 effective men remained, yet their enthusiasm again enabled them to put to flight at Ascalon another vast Moslem army that had been gathered almost as widely as their own. The Latin kingdom of Jerusalem was established under Godfrey, and many of the crusaders returned home.

The efforts to hold the ground won caused the seven or eight crusades that followed. Egypt once more took precedence among Mohammedan countries, and in 1187 Saladin captured Jerusalem. The third crusade was organized to recapture it. Although Frederick Barbarosa, Philip Augustus of France, and Richard of England led it, they were opposed by a prince as able as themselves and the most they could accomplish was the establishment of a truce giving the Christians free access to the holy places. The Latin kingdom itself fell in 1291, in spite of various abortive attempts to aid it.

The crusades were conceived in holy ardor, but carried out for the most part in unthinking impetuosity. They broadened the mind of Europe, gave it some knowledge of geography, and a more tolerant respect for the Mohammedans they tried to subdue, but their results were wrought at the fearful cost that is so often paid for a change in the thought of a people.

WILLIAM OF TYRE'S ACCOUNT OF PETER THE HERMIT

A certain priest named Peter, from the kingdom of the Franks and the bishopric of Amiens, a hermit both in deed and name, led by the same ardor, arrived at Jerusalem. He was small in stature and his external appearance contemptible. But great valor ruled in his slight frame. For he was sharp-witted, his glance was bright and captivating, and he spoke with ease and eloquence. Having paid the tax which was exacted from all Christians who wished to enter, he went into the city and was entertained by a trusty man who was also a confessor of Christ. He diligently questioned his host, who was also a zealous man, and learned from him not only of the existing perils, but also of the persecutions which the former Christians had suffered long before. And if in what he heard any details were lacking, he completed the account from the witness of his own eyes. For remaining in the city and visiting the churches he learned more fully the truth of what had been told to him by others.

Hearing also that the Patriarch of the city was a devout and God-fearing man, he wished to confer with him and to learn more fully from him the truth concerning some matters. Accordingly he went to him and, having been presented by a trustworthy man, both he and the Patriarch mutually enjoyed their conferences.

The name of the Patriarch was Simeon. As he learned from Peter's conversation that the latter was prudent, able and eloquent, and a man of great practical experience, he began to disclose to him more confidentially all the evils which the people of God had suffered while dwelling in Jerusalem.

To whom Peter replied: "You may be assured, holy father, that if the Roman Church and the princes of the West should learn from a zealous and reliable witness the calamities which you suffer, there is not the slightest doubt that they would hasten to remedy the evil, both by words and eeds. Write then zealously both to the Lord Pope and the Roman Church and to the kings and princes of the West and confirm your letter by the authority of your seal. I truly, for the sake of the salvation of my soul, do not hesitate to undertake this task. And I am prepared under God's guidance to visit them all, to exhort them all, zealously to inform them of the greatness of your sufferings and to urge them to hasten to your relief."

Of a truth, Thou art great, O Lord our God, and to Thy mercy there is no end! Of a truth, blessed Jesus, those who trust in Thee shall never be brought to confusion! How did this poor pilgrim, destitute of all resources and far from his native land, have so great confidence that he dared to undertake an enterprise so much beyond his strength and to hope to accomplish his vows? Unless it was that he turned all his thoughts to Thee, his protector, and, filled with charity, pitying the misfortunes of his brethren, loving his neighbor as himself, he was content to fulfill the law? Strength is a vain thing, but charity overcometh. What his brethren prescribed might appear difficult and even impossible, but the love of God and of his neighbor rendered it easy for him, for love is strong as death. Faith which worketh by love availeth with Thee and the good deeds which Thou receivest do not remain without fruit. According Thou didst not permit Thy servant long to remain in doubt. Thou didst manifest Thyself to him. Thou didst fortify him by Thy revelation that he might not hesitate, and breathing into him Thy hidden spirit, Thou madest him arise with greater strength to accomplish the work of charity.

Therefore, after performing the usual prayers, taking leave of the Patriarch and receiving his blessing, he went to the sea-coast. There he found a vessel belonging to some merchants who were preparing to cross to Apulia. He went on board and after a successful journey arrived at Bari. Thence he proceeded to Rome and found the Lord Pope Urban in the vicinity. He presented the letters of the Patriarch and of the Christians who dwelt at Jerusalem and showed their misery and the abominations which the unclean races wrought in the holy places. Thus faithfully and prudently he performed the commission entrusted to him.

SPEECH OF URBAN II. AT THE COUNCIL OF CLERMONT

NOVEMBER 26, 1095

Most beloved brethren, moved by the exigencies of the times, I Urban, wearing by the permission of God the papal tiara, and pontiff of the whole earth, have come to this place, to you, the servants of God, as a messenger to disclose the divine admonition. I desire that those whom I have believed to be the faithful servants of God shall show themselves such and that there shall be no shameful dissimulation. But if there is in you, contrary to God's law, any deformity or

crookedness, I will in the cause of justice lay aside my modesty and earnestly strive to root out the fault. For the Lord has placed you over His family as stewards in order that you may at the fitting seasons feed its members with pleasant tasting food. You will be happy indeed, if when He requires of you an account, He shall find you have been faithful in your stewardships. You are also called shepherds; be not hirelings. Be true shepherds and have your crooks always in your hands. Fall not asleep, but watch in all places over the flock committed to your charge. For if, through your carelessness or negligence, a wolf snatches away one of your sheep, you will certainly lose the reward prepared for you in the Lord's kingdom, and having been bitterly tortured by remorse for your crimes, you will be sternly hurled into the deadly abode.

In the words of the Gospel, "Ye are the salt of the earth." But if you fail in your duty, how, we ask, can it be salted? Oh, how needful is that salting! Truly you must strive by the salt of wisdom to correct these foolish people, hastening open-mouthed after the pleasures of this world, lest putrefied by sins and unsalted they may infect the Lord when He wills on some future day to address them. For if, through your neglect of duty, He shall find in them any worms, that is, sins, He will in contempt order them to be hurled into the abyss of unclean things. And because you are unable to make good to Him so great a loss, He will certainly drive you, condemned by His judgment, from the presence of His love.

The distributors of this salt ought to be wise, prudent, modest, learned, lovers of peace, watchful, pious, just, equitable, pure. For how can the unlearned, the immodest, the impure make others learned, modest, pure? If anyone hates peace, how can he be a peace-maker? Or if one's own hands are unclean, how can he cleanse the impurities of another? We read also that "if the blind lead the blind, both shall fall into the ditch." Accordingly first correct yourselves, so that you may be able to correct those under your charge.

If you wish to be the friends of God, do willingly the things which you believe to be agreeable to Him. Look to it especially that the rules of the church are vigorously maintained. Be careful that heretical simony in no way takes root among you, lest purchasers and venders alike be struck by the chastisement of the Lord and be miserably driven through narrow ways to confusion and destruction. Keep the church and those in its service entirely free from all secular power. Cause the tithes due to God from all the fruits of the field to be faith-

fully paid; let them not be sold or held back. If anyone shall lay hands on a bishop, let him be considered as wholly an outlaw. If anyone shall seize or despoil monks, priests, nuns, their servants, pilgrims or merchants, let him be anathematized. Let robbers, incendiaries and their accomplices be shut out from the church and stricken with the anathema. We must especially consider how a man, who steals the property of another, is to be punished; since he who from his own possessions does not employ apart in alms, incurs the damnation of hell. Remember that is what befell the rich man in the Gospel. He forsooth was punished not for having stolen the property of another, but because he had used his own wrongly.

By these evils, dearly beloved brethren, you have long beheld the world gravely troubled. Indeed, certain reports have come to us, that in some of your provinces—mayhap through your weakness in administering justice—hardly anyone can venture to travel upon the highways by night or day without danger of attack by thieves or robbers; and no one is sure that his property at home or abroad will not be taken from him by the violence or craft of the wicked. Therefore, let us re-enact the law made by our holy ancestors long ago and commonly called the "Truce of God." I must earnestly exhort you that each one should strenuously do all in his power to have it observed in his bishopric. But if anyone misled by pride or cupidity breaks it voluntarily, let him be anathemized by the authority of God and by the sanction of the decrees of this council.

(Here Urban paused and the council enacted the decrees which he desired, and which all who were present took oath to obey faithfully. The pope then proceeded:)

Although, oh sons of God, you have promised the Lord more earnestly than heretofore to maintain peace in your midst and faithfully to sustain the rights of the church, yet it is necessary for you, newly fortified by the correction of the Lord, to show the strength of your righteousness in a precious work which is not less your concern than the Lord's. For it behooves you to hasten to carry to your brethren dwelling in the East, the aid so often promised and so urgently needed. For the Turks and the Arabs have attacked them, as many of you know, and have advanced into the territory of Romania as far as that part of the Mediterranean which is called the Arm of St. George; and penetrating farther and farther into the country of those Christians, already seven times conquered them in battle, have killed and captured many, have destroyed the churches and devastated the king-

dom. If you permit them to remain for a time unmolested, they will extend their sway more widely over many faithful servants of the Lord.

Wherefore, I pray and exhort, nay not I, but the Lord prays and exhorts you, as heralds of Christ, at all times to urge men of all ranks, peasants and knights, the poor equally with the rich, to hasten to exterminate this vile race from the lands ruled by our brethren, and to bear timely aid to the worshipers of Christ. I speak to those who are present, I shall proclaim it to be absent, but it is Christ who commands. Moreover, if those who set out thither lose their lives on the journey, by land or sea, or in fighting against the heathen, their sins shall be remitted in that hour; this I grant through the power of God vested in me.

Oh, what a disgrace if a race so despised, so degenerate, so entirely the slave of the demons, should thus conquer omnipotent God's elect people, rendered illustrious by the name of Christ! Oh, how many reproaches will be heaped upon us by the Lord Himself if you do not aid those who like ourselves glory in the name of Christ! Let those who have formerly been accustomed to contend wickedly in private warfare against the faithful, fight against the infidel and bring to a victorious end the war which ought long since to have been begun. Let those who have hitherto been robbers now become soldiers. Let those who have formerly contended against their brothers and relatives now fight as they ought against the barbarians. Let those who have formerly been mercenaries at low wages, now gain eternal rewards. Let those who have been exhausting themselves to the detriment both of body and soul, now strive for a two-fold reward. What shall I add? On this side will be the sorrowful and poor, on the other the rich; here the enemies of the Lord, there His friends. Let not the expedition be delayed. But let the warriors arrange their affairs and collect the money necessary for their expenses, and when winter ends and the spring comes, let them with alacrity start on their journey under the guidance of the Lord.

THE TRUCE OF GOD

A. The First Canon of the Council of Clermont.

Be it enacted, that monks, clergymen, women, and those who may be with them, shall remain in peace every day; farther, on three

days, viz., the second, third and fourth days of the week, an injury done to anyone shall not be considered an infraction of the Peace; but on the remaining four days, if anyone injures another, he shall be considered a violator of the Sacred Peace, and shall be punished in the manner decreed.

B. The Truce of God for the Diocese of Cologne.

Inasmuch as in our own times the church, through its members, has been extraordinarily afflicted by tribulations and difficulties, so that tranquillity and peace were wholly despaired of, we have endeavored by God's help to aid it, suffering so many burdens and perils. And by the advice of our faithful subjects we have at length provided this remedy, so that we might to some extent re-establish, on certain days at least, the peace which because of our sins we could not make enduring. Accordingly we have enacted and set forth the following: Having called together our parishioners to a legally summoned council, which was held at Cologne, the chief city of our province, in the Church of St. Peter, in the 1083d year of our Lord's Incarnation, in the sixth indiction, on the XII. day before the Kalends of May, after arranging other business, we have caused to be read in public what we proposed to do in this matter. After this had been for some time fully discussed "pro and con" by all, it was unanimously agreed upon, both the clergy and people consenting, and we declared in what manner and during what parts of the year it ought to be observed:

Namely that from the first day of the Advent of our Lord through Epiphany, and from the beginning of Septuagesima to the eight day after Pentecost and through that whole day, and throughout the year on every Sunday, Friday and Saturday, and on the fast days of the four seasons, and on the eve and the day of all the apostles, and on all days canonically set apart—or which shall in the future be set apart— for fasts or feasts, this decree of peace shall be observed; so that both those who travel and those who remain at home may enjoy security and the most entire peace, so that no one may commit murder, arson, robbery or assault, no one may injure another with a sword, club or any kind of weapon, and so that none irritated by any wrong, from the Advent of our Lord to the eight day after Epiphany, and from Septuagesima to the eighth day after Pentecost, may presume to carry arms, shield, sword or lance, or moreover any kind of armor. On the remaining days indeed, viz., on Sundays, Fridays, apostles' days and the vigils of the apostles, and on every day set aside, or to be set aside, for fasts or feasts, bearing arms shall be legal, but

on this condition that no injury shall be done in the time in any way to anyone. If it shall be necessary for anyone in the time of the decreed peace—*i. e.*, from the Advent of our Lord to the eighth day after Epiphany, and from Septuagesima to the eighth day after Pentecost—to go from one bishopric into another in which the peace is not observed, he may bear arms, but on the condition that he shall not injure anyone, except in self-defence if he is attacked; and when he returns into our diocese he shall immediately lay aside his arms. If it shall happen that any castle is besieged during the days which are included within the peace the besiegers shall cease from attack unless they are set upon by the besieged and compelled to beat the latter back.

And in order that this statute of peace should not be violated by anyone rashly or with impunity, a penalty was fixed by the common consent of all: if a free man or noble violates it, *i. e.*, commits homicide or wounds anyone or is at fault in any manner whatever, he shall be expelled from our territory without any indulgence on account of the payment of money or the intercession of friends, and his heirs shall take all his property; if he holds a fief, the lord to whom it belongs shall receive it again. Moreover, if it is learned that his heirs after his expulsion have furnished him any support or aid, and if they are convicted of it, the estate shall be taken from them and given to the king. But if they wish to clear themselves of the charge against them, they shall take oath with twelve who are equally free or equally noble. If a slave kills a man, he shall be beheaded; if he wounds a man, he shall lose a hand; if he does an injury in any other way with his fist or a club, or by striking with a stone, he shall be shorn and flogged. If, however, he is accused and wishes to prove his innocence, he shall clear himself by the ordeal of cold water, but he must himself be put into the water and no one else in his place; if however, fearing the sentence decreed against him, he flees, he shall be under a perpetual excommunication; and if he is known to be in any place, letters shall be sent thither, it which it shall be announced to all that he is excommunicate, and that it is unlawful for anyone to associate with him. In the case of boys who have not yet completed their twelfth year, the hand ought not to be cut off; but only in the case of those who are twelve years or more of age. Nevertheless if boys fight, they shall be whipped and deterred from fighting.

It is not an infringement of the peace, if anyone orders his delinquent slave, pupil, or anyone in any way under his charge to be chastised with rods or cudgels. It is also an exception to this constitution

of peace if the Lord King publicly orders an expedition to attack the enemies of the kingdom or is pleased to hold a council to judge the enemies of justice. The peace is not violated if, during the time, the duke or other counts, advocates or their substitutes hold courts and inflict puinshment legally on thieves, robbers and other criminals.

The statute of this imperial peace is especially enacted for the security of those engaged in feuds; but after the end of the peace, they are not to dare to rob and plunder in the villages and houses, because the laws and penalties enacted before the institution of the peace are still legally valid to restrain them from crime, moreover because robbers and highwaymen are excluded from this divine peace and indeed from any peace.

If anyone attempts to oppose this pious institution and is unwilling to promise peace to God with the others or to observe it, no priest in our diocese shall presume to say a mass for him or shall take any care for his salvation; if he is sick, no Christian shall dare to visit him; on his death-bed he shall not receive the Eucharist unless he repents. The supreme authority of the peace promised to God and commonly extolled by all will be so great that it will be observed not only in our times, but forever among our posterity, because if anyone shall presume to infringe, destroy or violate it, either now or ages hence at the end of the world he is irrevocably excommunicated by us.

The infliction of the above mentioned penalties on the violators of the peace is not more in the power of the counts, centenaries or officials than in that of the whole people in common; and they are to be especially careful not to show friendship or hatred or do anything contrary to justice in punishing, and not to conceal the crimes, if they can be hidden, but to bring them to light. No one is to receive money for the release of those taken in fault, or to attempt to aid the guilty by any favor of any kind, because whoever does this incurs the intolerable damnation of his soul; and all the faithful ought to remember that this peace has not been promised to men, but to God, and therefore must be observed so much the more rigidly and firmly. Wherefore we exhort all in Christ to guard inviolably this necessary contract of peace, and if anyone hereafter presumes to violate it, let him be damned by the ban of irrevocable excommunication and by the anathema of eternal perdition.

In the churches however, and in the cemeteries of the churches, honor and reverence are to be paid to God, so that if any robber or thief flees thither, he is by no means to be killed or seized, but he is to

remain there until by urgent hunger he is compelled to surrender. If any person presumes to furnish arms or food to the criminal or to aid him in flight, the same penalty shall be inflicted on him as on the criminal. Moreover by our ban we interdict laymen from punishing the transgressions of the clergy and those living under this order; but if seized in open crime they shall be handed over to their bishop. In cases in which laymen are to be executed, the clergy are to be degraded; in cases in which laymen are to be mutilated, the clergy are to be suspended from office and with the consent of the laymen they are to suffer frequent fasts and floggings until they atone.

PRIVILEGES OF THE CRUSADERS

Privilege Granted by Urban at the Council of Clermont, 1095

If anyone through devotion alone and not for the sake of honor or gain, goes to Jerusalem to free the church of God, the journey itself shall take the place of all penance.

Privileges Granted by Eugene III., 1145

Moreover, by the authority vested by God in us, we who with paternal care provide for your safety and the needs of the church, have promised and granted to those who from a spirit of devotion have decided to enter upon and accomplish such a holy and necessary undertaking and task, that full remission of sins which our predecessor Pope Urban granted. We have also commanded that their wives and children, their property and possessions, shall be under the protection of the holy church, of ourselves, of the archbishops, bishops and other prelates of the church of God. Moreover, we ordain by our apostolic authority that until their return or death is full proven, no law-suit shall be instituted hereafter in regard to any property of which they were in peaceful possession when they took the cross.

Those who with pure hearts enter upon such a sacred journey and who are in debt shall pay no interest. And if they or others for them are bound by oath or promise to pay interest, we free them by our apostolic authority. And after they have sought aid of their relatives or lords of whom they hold their fiefs and the latter are unable of unwilling to advance them money, we allow them freely to mortgage their lands and other possessions to churches, ecclesiastics or other Christians, and their lords shall have no redress.

Following the example of our predecessor, and through the authority of omnipotent God and of St. Peter, Prince of the Apostles—which is vested in us by God—we grant absolution and remission of sins so that those who devoutly undertake and accomplish such a holy journey, or who die by the way, shall obtain absolution for all their sins which they confess with humble and contrite heart and shall receive from the Remunerator of all the reward of eternal life.

Granted at Vetralle on the Kalends of December.

Privilege Granted by the Fourth Lateran Council, 1215.

Moreover, we grant to the clergy that they may retain their fiefs intact for three years as if they were resident in their churches; and if necessary, they may mortgage them for the same length of time.

In order that nothing relating to Christ's business may be neglected, we wish and command patriarchs, archbishops, bishops, abbots and others who have charge of souls, to set forth zealously to those committed to their care the word of the cross, exhorting in the name of the Father, Son and Holy Ghost, one only true and eternal God, kings, dukes, princes, marquises, counts, barons and other magnates, also the communities of cities, towns and villages, who do not go in person to the aid of the Holy Land, to send a suitable number of warriors with the necessary expenses for three years according to their individual means, for the remission of their own sins—as is stated in our general letters and as is also stated below, for the greater surety.

Of this remission we wish to be partakers not only those who furnish their own vessels, but also those who may have striven to build ships for this purpose. Moreover, let it be sternly announced by apostolic authority to those who refuse—if perchance any shall be so ungrateful to our Lord God—that they are to understand that for this they will have to answer to us on the last day of the strict judgment before an awful judge. Nevertheless let them first consider with what conscience or what security they will be able to appear before the only begotten Son of God, Jesus Christ, into whose hands the Father gave all things, if they shall refuse in this matter, which is peculiarly fitting for them, to aid Him who was crucified for sinners, by whose bounty they live, by whose kindness they are maintained, nay, more, by whose blood they have been redeemed.

Since it is certainly right that those who give their allegiance to the heavenly Emperor should enjoy a special privilege: when the time of the expedition shall exceed one year in length, the crusaders

shall be free from collections, tallages and other taxes. And we have taken their persons and property, after the assumption of the cross, under St. Peter's and our own protection, and we have decided that their defence shall be entrusted to the archbishops, bishops and all the prelates of the church. We have also appointed officers of our own especially for their protection, in order that their property may be kept intact and uninjured, until their death or return is known with certainty. And if anyone attempts any attack upon their property he shall be restrained by ecclesiastical censure.

If any of those setting out thither are bound by oath to pay interest we command that their creditors shall be compelled by the same means to release them from their oaths and to desist from the exaction of interest. But if any creditor shall compel them to pay interest, we order that he shall be forced by a similar chastisement to pay it back.

We command that the Jews, however, shall be compelled by the secular power to remit interest; and until they remit it all association of any kind with them shall be refused by all faithful Christians under penalty of excommunication. For those, moreover, unable at present to pay their debt to the Jews, the secular princes shall provide by a useful delay so that after they begin their journey they shall suffer no inconvenience from interest, until their death or return is known with certainty. The Jews shall be compelled, after deducting the necessary expenses, to count the income which they receive in the meantime from the mortgaged property toward the payment of the principal; since a favor of this kind which defers the payment but does not cancel the debt does not seem to cause much loss. Moreover, let the prelates of the church who are proven to be negligent in doing justice to the crusaders and their families, understand that they shall be severely punished.

Therefore trusting in the mercy of omnipotent God and in the atuhority of the blessed apostles Peter and Paul, by that power of binding and loosing which God has conferred on us, although unworthy, we grant to all who undergo the difficulties in their own person and at their own expense full remission of the sins of which they have truly repented with contrite hearts, and which they have confessed with their mouths; and at the retribution of the just we promise an increase of eternal salvation. To those also who do not go thither in person but yet according to their ability and means send suitable men at their expense, and to those likewise who go in person, although at the expense of others: we promise full remission of their sins. We also will and grant that according to the kind of their aid and the

depth of their devotion all shall partake of this remission who minister fitly from their property to the aid of that land or furnish opportune counsel and assistance. Also on all who piously proceed in this task the universal synod bestows in common the aid of all its benefits that it may worthily conduce to their salvation. Amen.

Privileges Granted for the Crusade against the Heretics in Languedoc, 1207-'08

Since those who fight for the liberty of the church ought to be fostered by the protection of the church, we, by our apostolic authority, have decided that our beloved, who in obedience to Christ are signed—or, are about to be signed—against the provincial heretics, from the time that they, according to the ordinance of our legates, place on their breasts the sign of the quickening cross to fight against the heretics, shall be under the protection of the apostolic seat and of ourselves, with their persons and lands, their possessions and men, and also all of their other property; and until full proof is obtained of their return or death all the above shall remain as they were, free and undisturbed.

ACCOUNT OF THE START

Such then was the immense assemblage which set out from the West. Gradually along the march and from day to day this army grew by the addition of other armies, coming from every direction and composed of innumerable people. Thus one saw massed together an infinite multitude, speaking different languages and come from diverse countries. All did not, however, melt into a single army until we had reached the city of Nicaea. What shall I add? The isles of the sea and the kingdoms of the whole earth were moved by God, so that one might believe that he saw the fulfillment of the prophecy of David, who said in his Psalms: "All nations whom Thou hast made shall come and worship before Thee, O Lord; and shall glorify Thy name," and so that those who have reached the holy places may say justly: "We will worship where His feet have stood." Concerning this journey one also reads many other predictions in the prophecies.

Oh, how great the grief, how deep the sighs, what weeping, what lamentation among the friends when the husband left the wife so dear to him, his children also, and all his possessions of any kind; or

his father, his mother, his brethren or his other kindred! And yet, in spite of these floods of tears which those who remained shed for their friends about to depart, and in their very presence, the latter did not suffer their courage to fail, and, out of love for the Lord, in no way hesitated to leave all that they held most precious, persuaded that they would gain a hundredfold in receiving the recompense which God has promised to those who follow Him.

Then the husband announced to his wife the exact time of his return, assuring her that if he lived he would return to his country and to her at the end of three years. He commended her to the Lord, gave her a kiss and promised to come back to her. But the latter, who feared that she would never see him again, overcome with grief, was unable to stand, fell almost lifeless to the ground and wept over her dear one, whom she was losing in life, as if he were already dead. He then, as if he had no pity—and nevertheless he was filled with pity—and was not moved by the lamentations of his wife or children or friends—and yet he was secretly moved—departed with mind firmly set upon his purpose. The sadness was for those who remained, and the joy for those who departed. What more can we say? "This is the Lord's doings; it is marvellous in our eyes."—Univ. of Penn. Translations & Reprints.

TRANSLATION OF DANA CARLETON MONRO.

MEDIAEVAL UNIVERSITIES

PRIVILEGES OF THE STUDENTS

Privilege of Frederick I. for the Students
1158 A. D.

After a careful consideration of this subject by the bishops, abbots, dukes, counts, judges, and other nobles of our sacred palace, we, from our piety, have granted this privilege to all scholars who travel for the sake of study, and especially to the professors of divine and sacred laws, namely, that they may go in safety to the places in which the studies are carried on, both they themselves and their messengers, and may dwell their in security. For we think it fitting that, during

good behavior, those should enjoy our praise and protection, those, namely, by whose learning the world is enlightened to the obedience of God and of us, his ministers, the life of the subjects is moulded; and by a certain special love we defend them from all injuries.

For who does not pity those who exile themselves through love for learning, who wear themselves out in poverty in place of riches, who expose their lives to all perils and often suffer bodily injury from the vilest men—this must be endured with vexation. Therefore, we declare by this general and ever to be valid law, that in the future no one shall be so rash as to venture to inflict any injury on scholars, or to occasion any loss to them on account of a debt owed by an inhabitant of their province—a thing which we have learned is sometimes done by an evil custom. And let it be known to the violators of the constitution, and also to those who shall at the time be the rulers of the places, that a four-fold restitution of property shall be exacted from all and that, the mark of infamy being affixed to them by the law itself, they shall lose their office forever.

Moreover, if anyone shall presume to bring a suit against them on account of any business, the choice in this matter shall be given to the scholars, who may summon the accusers to appear before their professors or the bishop of the city, to whom we have given jurisdiction in this matter. But if, in sooth, the accuser shall attempt to drag the scholar before another judge, even if his cause is a very just one, he shall lose his suit for such an attempt.

We also order this law to be inserted among the imperial constitutions under the title, *ne filius pro patre, etc.*

Given at Roncaglia, in the year of our Lord, 1158, in the month of November.

STATUTES OF GREGORY IX. FOR THE UNIVERSITY OF PARIS

1231 A. D.

Gregory, the bishop, servant of the servants of God, to his beloved sons, all the masters and students at Paris—greeting and apostolic benediction.

Paris, the mother of sciences, like another Cariath Sepher, a city of letters, stands forth illustrious, great indeed, but concerning herself she causes greater things to be desired, full of favor for the teachers

and students. There, as in a special factory of wisdom, she has silver as the beginnings of her veins, and of gold is the spot in which according to law they flow together; from which the prudent mystics of eloquence fabricate golden necklaces inlaid with silver, and making collars ornamented with precious stones of inestimable value, adorn and decorate the spouse of Christ. There the iron is raised from the earth, because, when the earthly fragility is solidified by strength, the breastplate of faith, the sword of the spirit, and the other weapons of the Christian soldier, powerful against the brazen powers, are formed from it. And the stone melted by heat, is turned into brass, because the hearts of stone, enkindled by the fervor of the Holy Ghost, at times glow, burn and become sonorous, and by preaching herald the praises of Christ.

Accordingly, it is, undoubtedly, very displeasing to God and men that anyone in the aforesaid city should strive in any way to disturb so illustrious grace, or should not oppose himself openly and with all his strength to any who do so. Wherefore, since we have diligently investigated the questions referred to us concerning a dissension which, through the instigation of the devil, has arisen there and greatly disturbed the university, we have decided, by the advice of our brethren, that the should be set at rest rather by precautionary measures, than by a judicial sentence.

Therefore, concerning the condition of the students and schools, we have decided that the following should be observed: each chancellor, appointed hereafter at Paris, at the time of his installation, in the presence of the bishop, or at the command of the latter in the chapter at Paris—two masters of the students having been summoned for this purpose and present in behalf of the university—shall swear that, in good faith, according to his conscience, he will not receive as professors of theology and canon law any but suitable man, at a suitable place and time, according to the condition of the city and the honor and glory of those branches of learning; and he will reject all who are unworthy without respect to persons or nations. Before licensing anyone, during three months, dating from the time when the license is requested, the chancellor shall make diligent inquiries of all the masters of theology present in the city, and of all other honest and learned men through whom the truth can be ascertained, concerning the life, knowledge, capacity, purpose, prospects and other qualities needful in such persons; and after the inquiries, in good faith and according to his conscience, he shall grant or deny the license to the

candidate, as shall seem fitting and expedient. The masters of theology and canon law, when they begin to lecture, shall take a public oath that they will give true testimony on the above points. The chancellor shall also swear, that, he will in no way reveal the advice of the masters, to their injury; the liberty and privileges being maintained in their full vigor for the canons at Paris, as they were in the beginning. Moreover, the chancellor shall promise to examine in good faith the masters in medicine and arts and in the other branches, to admit only the worthy and to reject the unworthy.

In other matters, because confusion easily creeps in where there is no order, we grant to you the right of making constitutions and ordinances regulating the manner and time of lectures and disputations, the costume to be worn, the burial of the dead; and also concerning the bachelors, who are to lecture and at what house, and on what they are to lecture; and concerning the prices of the lodgings or the interdiction of the same; and concerning a fit punishment for those who violate your constitutions or ordinances, by exclusion from your society. And if, perchance, the assessment of the lodgings is taken from you, or anything else is lacking, or an injury or outrageous damage, such as death or the mutilation of a limb, is inflicted on one of you; unless through a suitable admonition satisfaction is rendered within fifteen days, you may suspend your lectures until you have received full satisfaction. And if it happens that any one of you is unlawfully imprisoned, unless the injury ceases on a remonstrance from you, you may, if you judge it expedient, suspend your lectures immediately.

We command, moreover, that the bishop of Paris shall so chastise the excesses of the guilty, that the honor of the students shall be preserved and evil deeds shall not remain unpunished. But in no way shall the innocent be seized on account of the guilty; nay rather, if a probable suspicion arises against anyone, he shall be detained honorably and on giving suitable bail he shall be freed, without any exactions from the jailors. But if, perchance, such a crime has been committed that imprisonment is necessary, the bishop shall detain the criminal in his prison. The chancellor is forbidden to keep him in his prison. We also forbid holding a student for a debt contracted by another, since this is interdicted by canonical and legitimate sanctions. Neither the bishop, nor his official, nor the chancellor shall exact a pecuniary penalty for removing an excommunication or any other censure of any kind. Nor shall the chancellor demand from the masters who are licensed an oath, or obedience, or any pledge; nor shall he

receive any emolument or promise for granting a license, but be content with the above-mentioned oath.

Also, the vacation in summer is not to exceed one month, and the bachelors, if they wish, can continue their lectures in vacation time. Moreover, we prohibit more expressly the students from carrying weapons in the city, and the university from protecting those who disturb the peace and study. And those who call themselves students but do not frequent the schools, or acknowledge any master, are in no way to enjoy the liberties of the students.

Moreover, we order that the masters in arts always read one lecture on Priscian, and one book after the other in the regular courses. Those books on natural philosophy which for a certain reason were prohibited in a provincial council, are not to be used at Paris until they have been examined and purged of all suspicion of error. The masters and students in theology shall strive to exercise themselves laudably in the branch which they profess; they shall not show themselves philosophers, but they shall strive to become God's learned. And they shall not speak in the language of the people, confounding the sacred language with the profane. In the schools they shall dispute only on such questions as can be determined by theological books and the writings of the holy fathers.

Also, about the property of the scholars who die intestate or do not commit the arrangement of their affairs to others, we have determined to arrange thus: namely, that the bishop and one of the masters, whom the university shall appoint for this purpose, shall receive all the property of the defunct, and placing it in a suitable and safe spot, shall fix a certain date, before which his death can be announced in his native country, and those who ought to succeed to his property can come to Paris or send a suitable messenger. And if they come or send, the goods shall be restored to them, with the security which shall have been given. If no one appears, then the bishop and masters shall expend the property for the soul of the departed, as seems expedient; unless, perchance, the heirs shall have been prevented from coming by some good reason. In that case, the distribuiton shall be deferred to a fitting time.

Truly, because the masters and students, who harassed by damages and injuries, have taken a mutual oath to depart from Paris and have broken up the school, have seemed to be waging a contest not so much for their own benefit as for the common good; we consulting the needs

and advantage of the whole church, wish and command that after the privileges have been granted to the masters and students by our most dearly beloved son in Christ, the illustrious King of the French, and amends have been paid by the malefactors, they shall study at Paris and shall not be marked by any infamy or irregularity on account of their staying away or return.

It is not lawful for any man whatever to infringe this deed of our provision, constitution, concession, prohibition and inhibition or to act contrary to it, from rash presumption. If anyone, however, should dare to attempt this, let him know that he incurs the wrath of almighty God and of the blessed Peter and Paul, His apostles.

Given at the Lateran, on the Ides of April, in the fifth year of our pontificate.

THE COURSES OF STUDY

Statutes of Robert de Courcon for Paris
1215 A. D.

R., servant of the cross of Christ, by the divine mercy cardinal priest of the title of St. Stephen in Monte Celio and legate of the apostolic seat, to all masters and scholars at Paris—eternal safety in the Lord.

Let all know, that having been especially commanded by the lord pope to devote our energy effectively to the betterment of the condition of the students at Paris, and wishing by the advice of good men to provide for the tranquillity of the students in the future, we have ordered and prescribed the following rules:

No one is to lecture at Paris in arts before he is twenty-one years old. He is to listen in arts at least six years, before he begins to lecture. He is to promise that he will lecture for at least two years, unless he is prevented by some good reason, which he ought to prove either in public or before the examiners. He must not be smirched by any infamy. When he is ready to lecture, each one is to be examined according to the form contained in the letter of lord P. bishop of Paris (in which is contained the peace established between the chancellor and the students by the judges appointed by the lord pope, approved and confirmed namely by the bishop and deacon of Troyes and by P., the bishop, and J., the chancellor of Paris).

The treatises of Aristotle on logic, both the old and the new, are

to be read in the schools in the regular and not in the extraordinary courses. The two Priscians, or at least the second, are also to be read in the schools in the regular courses. On the feast-days nothing is to be read in the schools in the regular courses. On the feast-days nothing is to be read except philosophy, rhetoric, *quadrivialia,* the Barbarism, the Ethics, if they like, and the fourth book of the Topics. The books of Aristotle on Metaphysics or Natural Philosophy, or the abridgements of these works, are not to be read, nor the writings of Master David of Dinant, the heretic Amauri, or the Spaniard Mauricius.

In the promotions and meetings of the masters and in the confutations or arguments of the boys or youths there are to be no festivities. But they may call in some friends or associates, but only a few. We also advise that donations of garments and other things be made, as is customary or even to a greater extent, and especially to the poor. No master lecturing in arts is to wear anything except a cope, round and black and reaching to the heels—at least, when it is new. But he may well wear a pallium. He is not to wear under the round cope embroidered shoes and never any with long bands.

If anyone of the students in arts or theology dies, half of the masters of arts are to go to the funeral one time, and the other half to the next funeral. They are not to withdraw until the burial is completed, unless they have some good reason. If any master of arts or theology dies, all the masters are to be present at the vigils, each one is to read the psalter or have it read. Each one is to remain in the church, where the vigils are celebrated, until midnight or later, unless prevented by some good reason. On the day when the master is buried, no one is to lecture or dispute.

We fully confirm to them the meadow of St. Germain in the condition in which it was adjudged to them.

Each master is to have jurisdiction over his scholars. No one is to receive either schools or a house without the consent of the occupant, if he is able to obtain it. No one is to receive a license from the chancellor or any one else through a gift of money, or furnishing a pledge or making an agreement. Also, the masters and students can make among themselves or with others agreements and regulations, confirmed by a pledge, penalty or oath, about the following matters: namely, if a student is killed, mutilated or receives some outrageous injury—if justice is not done; for fixing the prices of lodgings; concerning the dress, burial, lectures and disputations; in such a manner,

however, that the university is not scattered or destroyed on this account.

We decide concerning the theologians, that no one shall lecture at Paris before he is thirty-five years old, and not unless he has studied at least eight years, and has heard the books faithfully and in the schools. He is to listen in theology for five years, before he reads his own lectures in public. No one of them is to lecture before the third hour on the days when the masters lecture. No one is to be received at Paris for the important lectures or sermons unless he is of approved character and learning. There is to be no student at Paris who does not have a regular master.

In order moreover that these may be inviolably observed, all who presume contumaciously to violate these our statutes, unless they take care, within fifteen days from the date of the transgression, to correct their presumption in the presence of the university of masters and scholars, or in the presence of some appointed by the university, by the authority of the legation with which we are entrusted, we bind with the bond of excommunication.

Done in the year of grace 1215, in the month of August.

The Course in Medicine

1270—1274

This is the form for licensing bachelors of medicine. First, the master, under whom the bachelor is, ought to testify to the chancellor, in the presence of the masters called together for this purpose, concerning the suitability of licensing the bachelor. He ought to prove his time of study by at least two examinations; and the time which he ought to have studied is five and one-half years, if he has ruled in arts or has been a licentiate; or six, if he has not.

The course of study is as follows: he ought to have heard the Ars Medica twice in the regular courses and once in an extraordinary course with the exception of Theophilus: On Urines, which it is sufficient to have heard once in either a regular or an extraordinary course; the Viaticum twice in regular courses; the other books of Isaac once in a regular course, twice in extraordinary courses, except the Particular Diets, which it is sufficient to have heard in an extraordinary or regular course; the Book of Antidotes of Nicholas, once. The Verses of Egidius are not required. Also, he ought to have read the books on Theory and Practice.

And he ought to swear this. Moreover, if anyone is convicted of perjury or lying, he, although licensed, may be degraded.

LIFE OF STUDENTS AT PARIS

Almost all the students at Paris, foreigners and natives, did absolutely nothing except learn or hear something new. Some studied merely to acquire knowledge, which is curiosity; others to acquire fame, which is vanity; others still for the sake of gain, which is cupidity and the vice of simony. Very few studied for their own edification, or that of others. They wrangled and disputed not merely about the various sects or about some discussions; but the differences between the countries also caused dissensions, hatreds and virulent animosities among them, and they impudently uttered all kinds of affronts and insults against one another.

They affirmed that the English were drunkards and had tails; the sons of France proud, effeminate and carefully adorned like women. They said that the Germans were furious and obscene at their feasts; the Normans, vain and boastful; the Poitevins, traitors and always adventurers. The Burgundians they considered vulgar and stupid. The Bretons were reputed to be fickle and changeable and were often reproached for the death of Arthur. The Lombards were called avaricious, vicious and cowardly; the Romans, seditious, turbulent and slanderous; the Sicilians, tyrannical and cruel; the inhabitants of Brabant, men of blood, incendiaries, brigands and ravishers; those of Flanders, fickle, prodigal, gluttonous, yielding as butter, and slothful. After such insults, from words they often came to blows.

I will not speak of those logicians, before whose eyes flitted constantly "the lice of Egypt," that is to say, all the sophistical subtleties, so that no one could comprehend their eloquent discourses in which, as says Isaiah, "there is no wisdom." As to the doctors of theology, "seated in Moses' seat," they were swollen with learning, but their charity was not drifting. Teaching and not practicing, they have "become as sounding brass or a tinkling cymbal," or like a canal of stone, always dry, which ought to carry water to "the bed of spices." They not only hated one another, but by their flatteries they enticed away the students of others; each one seeking his own glory, but caring not a whit about the welfare of souls.

Having listened intently to these words of the apostle, "If a man

desire the office of a bishop, he desireth a good work," they kept multiplying the prebends, and seeking after the offices; and yet they sought the work decidedly less than the pre-eminence, and they desired above all to have "the uppermost rooms at feasts and the chief seats in the synagogue and greetings in the market." Although the apostle James said, "My brethren, be not many masters," they on the contrary were in such haste to become masters, that most of them were not able to have any students, except by entreaties and payments. Now it is safer to listen than to teach, and a humble listener is better than an ignorant and presumptuous doctor. In short, the Lord had reserved for Himself among them all, only a few honorable and timorous men, who had not stood "in the way of sinners," nor sat down with the others in the envenomed seat.—Univ. of Penn. Translations and Reprints.

TRANSLATED BY DANA CARLETON MONRO.

ST. THOMAS AQUINAS

St. Thomas Aquinas was born about 1225 near Naples. At seventeen he joined the Dominicans and studied under Albertus Magnus at Cologne. He took an active part in the affairs of the Church, but nevertheless found time to produce an enormous amount of theological and philosophical work. He died March 7th, 1274. He was a typical scholastic, and his work was to formulate a system of knowledge by combining the principles of Aristotle with the theology of the Church. He admits two immediate sources of knowledge, revelation and man's experience and reason, with God as the ultimate source of both. We give below his proofs for the existence of God and Theory of Knowledge.

ON THE EXISTENCE OF GOD

Article II. Whether the existence of God is demonstratable.

Let us proceed to the second point. It is objected (1) that the existence of God is not demonstratable: that God's existence is an article of faith, and that articles of faith are not demonstratable, because the office of demonstration is to prove, but faith pertains (only) to things that are not to be proven, as is evident from the Epistle to the Hebrews, XI. Hence that God's existence is not demonstratable.

Again, (2) that the subject matter of demonstration is that something exists, but in the case of God we cannot know what exists, but only what does not, as Damascenus says (Of the Orthodox Faith, I., 4.) Hence that we cannot demonstrate God's existence.

Again, (3) that if God's existence is to be proved it must be from what He causes, and that what He effects is not sufficient for His supposed nature, since He is infinite, but the effects finite, and the finite is not proportional to the infinite. Since, therefore, a cause cannot be proved through an effect not proportional to itself, it is said that God's exisence cannot be proved.

But against this argument the apostle says (Rom. I., 20), "The unseen things of God are visible through His manifest works." But this would not be so unless it were possible to demonstrate God's existence through His works. What ought to be understood concerning anything, is first of all, whether it exists.

Conclusion. It is possible to demonstrate God's existence, although not a priori (by pure reason), yet a postiori from some work of His more surely known to us.

In answer I must say that the proof is double. One is through the nature of a cause and is called *propter quid:* this is through the nature of preceding events simply. The other is through the nature of the effect, and is called *quia,* and is through the nature of preceding things as respects us.

Since the effect is better known to us than the cause, we proceed from the effect to the knowledge of the cause. From any effect whatsoever it can be proved that a corresponding cause exists, if only the effects of it are sufficiently known to us, for since effects depend on causes, the effect being given, it is necessary that a preceding cause exists. Whence, that God exists, although this is not itself known to

us, is provable through effects that are known to us.

To the first objection above, I reply, therefore, that God's existence, and those other things of this nature that can be known through natural reason concerning God, as is said in Rom. I., are not articles of faith, but preambles to these articles. So faith presupposes natural knowledge, so grace nature, and perfection a perfectible thing. Nothing prevents a thing that is in itself demonstratable and knowable, from being accepted as an article of faith by someone that does not accept the proof of it.

To the second objection, I reply that, since the cause is proven from the effect, one must use the effect in the place of a definition of the cause in demonstrating that the cause exists; and that this applies especially in the case of God, because for proving that anything exists, it is necessary to accept in this method what the name signifies, not however that anything exists, because the question *what it is* is secondary to the question *whether it exists at all.* The characteristics of God are drawn from His works as shall be shown hereafter, (Question XIII.). Whence by providing that God exists through His works as shall be shown hereafter, (Question XIII.). Whence by proving that God exists through His works, we are able by this very method to see what the name God signifies.

To the third objection, I reply that, although a perfect knowledge of the cause cannot be had from inadequate effects, yet that from any effect manifest to us it can be shown that a cause does exist, as has been said. And thus from the works of God His existence can be proved, although we cannot in this way know Him perfectly in accordance with His own essence.

Article III. Whether God exists.

Let us proceed to the third article. It is objected (1) that God does not exist, because if one of two contradictory things is infinite, the other will be totally destroyed; that it is implied in the name God that there is a certain infinite goodness: if then God existed, no evil would be found. But evil is found in the world; therefore it is objected that God does not exist.

Again, that what can be accomplished through a less number of principles will not be accomplished through more. It is objected that all things that appear on the earth can be accounted for through other principles, without supposing that God exists, since what is natural can be traced to a natural principle, and what proceeds from a proposition can be traced to the human reason or will. Therefore that

there is no necessity to suppose that God exists.

But as against this note what is said of the person of God (Exod. III., 14) *I am that I am.*

Conclusion. There must be found in the nature of things one first immovable Being, a primary cause, necessarily existing, not created; existing the most widely, good, even the best possible; the first ruler through the intellect, and the ultimate end of all things, which is God.

I answer that it can be proved in five ways that God exists. The first and plainest is the method that proceeds from the point of view of motion. It is certain and in accord with experience, that things on earth undergo change. Now everything that is moved is moved by something; nothing, indeed, is changed, except it is changed to something which it is in potentiality. Moreover, anything moves in accordance with something actually existing; change itself, is nothing else than to bring forth something from potentiality into actuality. Now nothing can be brought from potentiality to actual existence except through something actually existing: thus heat in action, as fire, makes fire-wood, which is hot in potentiality, to be hot actually, and through this process, changes itself. The same thing cannot at the same time be actually and potentially the same thing, but only in regard to different things. What is actually hot cannot be at the same time potentially hot, but it is possible for it at the same time to be potentially cold. It is impossible, then, that anything should be both mover and the thing moved, in regard to the same thing and in the same way, or that it should move itself. Everything, therefore, is moved by something else. If, then, that by which it is moved, is also moved, this must be moved by something still different, and this, again, by something else. But this process cannot go on to infinity (1) because there would not be any first mover, nor, because of this fact, anything else in motion, as the succeeding things would not move except because of what is moved by the first mover, just as a stick is not moved except through what is moved from the hand. Therefore it is necessary to go back to some first mover, which is itself moved by nothing, and this all men know as God.

The second proof is from the nature of the efficient cause. We find in our experience that there is a chain of causes: nor is it found possible for anything to be the efficient cause of itself, since it would have to exist before itself, which is impossible. Nor in the case of efficient causes causes can the chain go back indefinitely, because in

all chains of efficient causes, the first is the cause of the middle, and these of the last, whether they be one or many. If the cause is removed, the effect is removed. Hence if there is not a first cause, there will not be a last, nor a middle. But if the chain were to go back infinitely, there would be no first cause, and thus no ultimate effect, nor middle causes, which is admittedly false. Hence we must presuppose some first efficient cause, which all call God.

The third proof is taken from the natures of the merely possible and necessary. We find that certain things either may or may not exist, since they are found to come into being and be destroyed, and in consequence potentially, either existent or non-existent. But it is impossible for all things that are of this character to exist eternally, because what *may* not exist, at length *will* not. If, then, all things were merely possible (mere accidents), eventually nothing among things would exist. If this is true, even now there would be nothing, because what does not exist, does not take its beginning except through something that does exist. If then nothing existed, it would be impossible for anything to begin, and there would now be nothing existing, which is admittedly false. Hence not all things are mere accidents, but there must be one necessarily existing being. Now every necessary thing either has a cause of its necessary existence, or has not. In the case of necessary things that have a cause for their necessary existence, the chain of causes cannot go back infinitely, just as not in the case of efficient causes, as proved. Hence there must be presupposed something necessarily existing through its own nature, not having a cause elsewhere but being itself the cause of the necessary existence of other things,—which all call God.

The fourth proof arises from the degrees that are found in things. For there is found a greater and a less degree of goodness, truth, nobility, and the like. But more or less are terms spoken of various things as they approach in diverse ways toward something that is the greatest, just as in the case of hotter (more hot) which approaches nearer the greatest heat. There exists therefore something that is the truest, and best, and most noble, and in consequence, the greatest being. For what are the greatest truths are the greatest beings, as is said in the Metaphysics Bk. II. 2. What moreover is the greatest in its way, in another way is the cause of all things of its own kind (or genus); thus fire, which is the greatest heat, is the cause of all heat, as is said in the same book (cf. Plato and Aristotle). Therefore there exists something that is the cause of the existence of all things and of the

goodness and of every perfection whatsoever—and this we call God.

The fifth proof arises from the ordering of things for we see that some things which lack reason such as natural bodies are operated in accordance with a plan. It appears from this that they are operated always or the more frequently in this same way the closer they follow what is the Highest; whence it is clear that they do not arrive at the result by chance but because of a purpose. The things, moreover, that do not have intelligence do not tend toward a result unless directed by some one knowing and intelligent; just as an arrow is sent by an archer. Therefore there is something intelligent by which all natural things are arranged in accordance with a plan,—and this we call God.

In response to the first objection, then, I reply what Augustine says; that since God is entirely good, He would permit evil to exist in His works only if He were so good and omnipotent that He might bring forth good even from the evil. It therefore pertains to the infinite goodness of God that he permits evil to exist and from this brings forth good.

My reply to the second objection is that since nature is ordered in accordance with some defined purpose by the direction of some superior agent, those things that spring from nature must be dependent upon God, just as upon a first cause. Likewise what springs from a proposition must be traceable to some higher cause which is not the human reason or will, because this is changeable and defective and everything changeable and liable to non-existence is dependent upon some unchangeable first principle that is necessarily self-existent as has been shown.—Summa Theol., III.

THEORY OF KNOWLEDGE

There are certain intellectual substances which are called immaterial.

The substances mentioned before that we called immaterial are necessarily also intellectual. Anything, indeed, is intellectual which is free from matter because of its very nature *to be known* can mean only *to be perceived*, for to be actually intelligible and an intellect in activity are the same things.

It is clear moreover that anything is actually intelligible when it is separated from matter, for we cannot have intellectual knowledge of material things except by abstracting it from the matter of the thing.

Hence the same judgment must be given concerning the intellect, that what are immaterial are also intellectual. For example the immaterial substances are the first and highest in rank among individual things, for actuality naturally precedes potentiality. Moreover the intellect appears superior to all other things, for the intellect uses bodies as instruments. Immaterial substances must therefore be intellectual. To this purpose as much as some things among individual things are of higher grade, so much the more do they approach to the likeness of God. We see things of the lowest grade to participate in the divine nature only so far as to exist, although inanimate; that some things, such as plants, both exist and live; that some, such as animals, even know things; but that the highest grade of existence and the one approaching the nearest to God is in the understanding. Hence the highest creatures are intellectual and because of their approach nearer to the likeness of God than any other creature they are said to be made in the likeness of God.

That substance through which man knows is the lowest in order of intellectual substances.

Since, moreover, it is not possible in the case of things to proceed to an infinite number of orders, just as there was found the highest substance among those previously mentioned which approached nearest to God, so there is necessarily found a lowest one which approaches nearest to corporeal matter, and this indeed can be made plain. For *to know* places man above the other animals. It is clear that man alone understands general truths and the customs of things and immaterial things which are perceived only through intelligence. It is impossible moreover that *to know* is an act exercised through the bodily organism the same as sight is a functin of the eye. It is necessary that the whole instrument of knowledge should be free from that kind of a thing which is known through itself; just as the pupil is free from colors of its own. So indeed, colors are recognized insofar as the kinds of color are received in the pupil, but the receiving part must be free from that which is received. The intellect knows all natural things of sense. If, then, it knows through a bodily organ, that organ must be free from any natural sensible thing, which is impossible; for example, every reason knows things that can be known by the species (general truths) becoming known to itself, for this is its first principle of knowledge. The intellect, moreover, knows things in an immaterial way, even those things that are in their very nature material, by selecting the universal form (or truth) from the individual material

conditions. It is impossible therefore, that the genus of a thing known in the intellect is material. Therefore it is not known through some bodily organ, for every bodily organ is material. In the same way it appears from this that the sense is weakened and destroyed by too much sensibility, just as hearing by great noises or sight by things too bright, which happens because the harmony of the organism is destroyed; but the intellect grows stronger by the excellence of the things it knows, for he that knows the higher things is able not only to know other things but to know them better. So, therefore, since man is found to be intelligent, and knowledge does not come through a bodily organ, there must be some other incorporeal substance through which man knows. For since this is able to be done without the body, the essence of it does not depend upon the body. For all characteristics and forms which cannot exist of themselves without the body are not able to act except through the body. Thus heat does not become hot through itself, but the body becomes hot through heat. That incorporeal substance, therefore, through which man knows is the lowest in kind of intellectual substances and the nearest approach to matter.

Concerning the characteristic of the intellect and the process of knowledge.

Since, moreover, to be intelligent is a higher grade of existence than to be sensible, just as the intellect is higher than the senses; and since, moreover, the things lower in the order of being, imitate the higher, just as the corporeal things, subject to generation and destruction, imitate the cycle of the heavenly bodies: so things of sense must be assimilated in their own way to things intelligible, and so, from the likeness of sensory things (to us), we are able to arrive at the knowledge of intelligible things. There is moreover in sensibles something of the highest grade that is active, such as the form (plan), and something of the lowest grade that is only potential, which is matter; also something intermediate compounded of matter and form. So also in the intelligible nature, for the highest intellectuality, which is God, is pure activity. The other intellectual substances are those having something of the active and potential after the nature of an intelligible being. The lowest of the intellectual substances through which man knows is only in potentiality, like an intelligible being. This is witnessed by the fact that man is found in the beginning only potentially intelligent, and afterwards little by little is led to active intelligence,—and thence that through which man knows is called a *possible intellect.*

That the possible intellect in man receives intelligible forms from sensory things.

Since it is true, as said, that by as much as the intellectual nature is the higher, it has more general intelligible ideas, it follows that the human intellect, which we called possible, has less general ideas than other intellectual substances, and thence it is that it receives intelligible forms from sensory things. This is also evident in another way, if one considers. For the form must be proportionate to the susceptibility. Just as the possible human intellect among intellectual substances is found nearer to the corporeal matter, so it is necessary that its forms be nearest to material things.

That man needs potential sensory things for the understanding.

We must consider, also, that forms (truths) in corporeal things are individual and have a material existence; that in the intellect they are general and immaterial: which indeed shows the way in which we learn. For we know things universally and immaterially. The operation of understanding through intelligible forms (general truths, etc.), by which we understand, necessarily follows. Since one cannot pass from extreme to extreme save through a medium, the forms from corporeal things must pass to the intellect through some medium. Of such a nature are the potential sensory substances (qualities) that receive the forms of material things without the matter. The form of the stone comes to the eye, but not the matter, yet the forms of things in paricular are received in the potential sensory substances (qualities): for in these potential sensory qualities we know only particulars. Therefore it is necessary for man in order to learn, to have senses. The proof of this is that if a sense is lacking a man lacks all knowledge of the sensory facts which are understood through that sense, just as a man born blind has no idea whatever of color.

That it is necessary to presuppose an active intellect.

From the above it is plain that the knowledge of things in our intellect is not caused through participation, or by the influx, in the act of knowing, of certain forms existing in themselves, as Plato believed, and others following him, but the intellect acquires knowledge from sensible things through mediating senses. But since in potential sensory things the forms are particular, as has been said, they are not actively intelligent but only potentially intelligible. The mind, indeed, does not know universals, moreover; it exists potentially, it is not led to activity except by some other agent. Therefore there must be some other agent which makes forms existing in potentially intelligible

things to be actually intelligible. The human intellect cannot do this for it is itself more potentially intelligible than actively so. It is necessary then to presuppose another intellect which makes forms potentially intelligible to be actively so, just as light makes colors that are potentially visible be actually visible, and this we call the active intellect, which would not have to be supposed if forms were themselves actually intelligible, as the Platonists have said. Therefore in knowing there must be first our possible intellect which receives the intelligible forms, and, second, an active intellect which makes these forms actually intelligible. Since the intellect is perfected through intelligible form it is called the intellect of use since it holds these intelligible forms so that it can use them as it wishes, midway between mere potentiality and complete activity. Since it also holds the general truths before mentioned in complete activity it is called the active intellect for it actively comprehends a thing when the class of the thing has been made a form of the active intellect. Therefore it is said that the active intellect is knowledge and activity.—Compendium Theologiae.

ROGER BACON

Roger Bacon was born in 1214. After being educated at Oxford, he went to Paris to study, and in spite of the spirit of scholasticism there prevalent, became learned in the thought of the Arabs and interested more in science than in the theological discussions of the doctors of the Paris university. At the time there was little real scientific spirit in the lands under the power of the Church. The Bible and the church fathers were considered the best authorities not only in spiritual but in scientific matters. Most of the thought of the time was given to the formulation of dogma, and what little attempt there was in scientific subjects set out from preconceived notions rather than from experience and research. It is the great merit of Roger Bacon that he appreciated the method which has become recognized as the correct one proceeding to the investigation of scientific subjects.

After his return to England in 1250 he joined the Franciscan order. In 1257 the general of the order interdicted his lectures because they were thought to be too closely connected with magic and not entirely orthodox, but Clement IV, whom he met in England, befriended him and commanded him to write out what he had investigated. After Clement's death his books were condemned by Jerome de Ascoli, the general of the order at the time and afterwards pope, and Bacon himself was thrown into prison to remain there for fourteen years. He was freed in 1292 and died about two years later.

His great work is the Opus Majus, which is an encyclopedia of the knowledge of the period. There are two ideas in it that have been fruitful. The first is that in order to be a science a subject must be sufficiently understood to be mathematically stated. The second is that experience is all important in scientific investigation.

Bacon describes the making of gunpowder and many other inventions, of the age, besides some that are undoubtedly mythical. He believed in revelation as well as experience and that the former gave really the surest knowledge by the shortest method, and was a partisan of astrology and alchemy. In many such ways he is thoroughly a part of his age, but he had glimpses of the road that was eventually to lead to a clearer insight into the mysteries of the universe.

ON EXPERIMENTAL SCIENCE

Having laid down the main points of the wisdom of the Latins as regards language, mathematics and optics, I wish now to review the principles of wisdom from the point of view of experimental science, because without experiment it is impossible to know anything thoroughly.

There are two ways of acquiring knowledge, one through reason, the other by experiment. Argument reaches a conclusion and compels us to admit it, but it neither makes us certain nor so annihilates doubt that the mind rests calm in the intuition of truth, unless it finds this certitude by way of experience. Thus many have arguments toward attainable facts, but because they have not experienced them, they overlook them and neither avoid a harmful nor follow a beneficial course. Even if a man that has never seen fire, proves by good reasoning that fire burns, and devours and destroys things, nevertheless the mind of one hearing his arguments would never be convinced, nor would he avoid fire until he puts his hand or some combustible thing into it in order to prove by experiment what the argument taught. But after the fact of combustion is experienced, the mind is satisfied and and lies calm in the certainty of truth. Hence argument is not enough, but experience is.

This is evident even in mathematics, where demonstration is the surest. The mind of a man that receives that clearest of demonstrations concerning the equilateral triangle without experiment will never stick to the conclusion nor act upon it till confirmed by experiment by means of the intersection of two circles from either section of which two lines are drawn to the ends of a given line. Then one receives the conclusion without doubt. What Aristotle says of the demonstration by the syllogism being able to give knowledge, can be understood if it is accompanied by experience, but not of the bare demonstration. What he says in the first book of the Metaphysics, that those knowing the reason and cause are wiser than the experienced, he speaks concerning the experienced who know the bare fact only without the cause. But I speak here of the experienced that know the reason and cause through their experience. And such are perfect in their knowledge, as Aristotle wishes to be in the sixth book of the Ethics, whose simple statements

are to be believed as if they carried demonstration, as he says in that very place.

Whoever wishes without proof to revel in the truths of things need only know how to neglect experience. This is evident from examples. Authors write many things and the people cling to them through arguments which they make without experiment, that are utterly false. It is commonly believed among all classes that one can break adamant only with the blood of a goat, and philosophers and theologians strengthen this myth. But it is not yet proved by adamant being broken by blood of this kind, as much as it is argued to this conclusion. And yet, even without the blood it can be broken with ease. I have seen this with my eyes; and this must needs be because gems cannot be cut out save by the breaking of the stone. Similarly it is commonly believed that the secretions of the beaver that the doctors use are the testacles of the male, but this is not so, as the beaver has this secretion beneath its breast and even the male as well as the female produces a secretion of this kind. In addition also to this secretion the male has its testacles in the natural place and thus again it is a horrible lie that, since hunters chase the beaver for this secretion, the beaver knowing what they are after, tears out his testacles with his teeth and throws them away. Again it is popularly said that cold water in a vase freezes more quickly than hot; and the argument for this is that contrary is excited by the contrary, like enemies running together.

They even impute this to Aristotle in the second book of Meteorology, but he certainly did not say this, but says something like it by which they have been deceived, that if both cold and hot water are poured into a cold place as on ice, the cold freezes quicker (which is true), but if they are placed in two vases, the hot will freeze quicker. It is necessary, then, to prove everything by experience.

Experience is of two kinds. One is through the external senses: such are the experiments that are made upon the heaven through instruments in regard to facts there, and the facts on earth that we prove in various ways to be certain in our own sight. And facts that are not true in places where we are, we know through other wise men that have experienced them. Thus Aristotle with the authority of Alexander, sent 2,000 men throughout various parts of the earth in order to learn at first hand everything on the surface of the world, as Pliny says in his Natural History. And this experience is human and philosophical just as far as a man is able to make use of the beneficent grace given to him, but such experience is not enough for man, because it

does not give full certainty as regards corporeal things because of their complexity and touches the spiritual not at all. Hence man's intellect must be aided in another way, and thus the patriarchs and prophets who first gave science to the world secured inner light and did not rest entirely on the senses. So also many of the faithful since Christ. For grace makes many things clear to the faithful, and there is divine inspiration not alone concerning spiritual but even about corporeal things. In accordance with which Ptolemy says in the Centilogium that there is a double way of coming to the knowledge of things, one through the experiments of science, the other through divine inspiration, which latter is far the better as he says.

Of this inner experience there are seven degrees, one through spiritual illumination in regard to scientific things. The second grade consists of virtue, for evil is ignorance as Aristotle says in the second book of the Ethics. And Algazel says in the logic that the mind is disturbed by faults, just as a rusty mirror in which the images of things cannot be clearly seen, but the mind is prepared by virtue like a well polished mirror in which the images of things show clearly. On account of this, true philosophers have accomplished more in ethics in proportion to the soundness of their virtue, denying to one another that they can discover the cause of things unless they have minds free from faults. Augustine relates this fact concerning Socrates in Book VIII., chapter III., of the City of God: to the same purpose Scripture says, *to an evil mind, etc.,* for it is impossible that the mind should lie calm in the sunlight of truth while it is spotted with evil, but like a parrot or magpie it will repeat words foreign to it which it has learned through long practice. And this is our experience, because a known truth draws men into its light for love of it, but the proof of this love is the sight of the result. And indeed he that is busy against truth must necessarily ignore this, that it is permitted him to know how to fashion many high sounding words and to write sentences not his own, just as the brute that imitates the human voice or an ape that attempts to carry out the works of men, although he does not understand their purpose. Virtue, then, clears the mind so that one can better understand not only ethical, but even scientific things. I have carefully proved this in the case of many pure youths who, on account of their innocent minds, have gone further in knowledge than I dare to say, because they have had correct teaching in religious doctrine, to which class the bearer of this treatise belongs, to whose knowledge of principles but few of the Latins rise. Since he

is so young (about twenty years old) and poor besides, not able to have masters nor the length of any one year to learn all the great things he knows, and since he neither has great genius or a wonderful memory, there can be no other cause, save the grace of God, which, on account of the clearness of his mind, has granted to him these things which it has refused to almost all students, for a pure man, he has received pure things from me. Nor have I been able to find in him any kind of a mortal fault, although I have searched diligently, and he has a mind so clear and far seeing that he receives less from instruction than can be supposed. And I have tried to lend my aid to the purpose that these two youths may be useful implements for the Church of God, inasmuch as they have with the Grace of God examined the whole learning of the Latins.

The third degree of spiritual experience is the gift of the Holy Spirit, which Isaiah describes. The fourth lies in the beatitudes which our Lord ennumerates in the Gospels. The fifth is the spiritual sensibility. The sixth is in such fruits as the peace of God, which passeth all understanding. The seventh lies in states of rapture and in the methods of those also, various ones of whom receive it in various ways, that they may see many things which it is not permitted to speak of to man. And whoever is thoroughly practised in these experiences or in many of them, is able to assure himself and others, not only concerning spiritual things, but all human knowledge.. And indeed, since all speculative thought proceeds through arguments which either proceed through a proposition by authority or through other propositions of argument, in accordance with this which I am now investigating, there is a science that is necessary to us, which is called experimental. I wish to explain this, not only as useful to philosophy, but to the knowledge of God and the understanding of the whole world: as in a former book I followed language and science to their end, which is the Divine wisdom by which all things are ordered.

II.

And because this experimental science is a study entirely unknown by the common people, I cannot convince them of its utility, unless its virtue and characteristics are shown. This alone enables us to find out surely what can be done through nature, what through the application of art, what through fraud, what is the purport and what is mere dream in chance, conjuration, invocations, imprecations, magical sacrifices, and what there is in them; so that all falsity may be lifted and the truth

alone of the art retained. This alone teaches us to examine all the insane ideas of the magicians in order not to confirm but to avoid them, just as logic criticizes the art of sophistry. This science has three great purposes in regard to the other sciences: the first is that one may criticize by experiment the noble conclusions of all the other sciences, for the other sciences know that their principles come from experiment, but the conclusions through arguments drawn from the principles discovered, if they care to have the result of their conclusions precise and complete. It is necessary that they have this through the aid of this noble science. It is true that mathematics reaches conclusions in accordance with universal experience about figures and numbers, which indeed apply to all sciences and to this experience, because no science can be known without mathematics. If we would attain to experiments precise, complete and made certain in accordance with the proper method, it is necessary to undertake an examination of the science itself, which is called experimental on our authority. I find an example in the rainbow and in like phenomena, of which nature are the circles about the sun and stars, also the halo beginning from the side of the sun or of a star which seems to be visible in straight lines and is called by Aristotle in the third book of the Meteorology a perpendicular, but by Seneca a halo, and is also called a circular corona, which have many of the colors of the rainbow. Now the natural philosopher discusses these things, and in regard to perspective has many facts to add which are concerned with the operation of seeing which is pertinent in this place. But neither Aristotle or Avicenna have given us knowledge of these things in their books upon Nature, nor Seneca, who wrote a special book concerning them. But experimental science analyzes such things.

The experimenter considers whether among visible things, he can find colors formed and arranged as given in the rainbow. He finds that there are hexagonal crystals from Ireland or India which are called rainbow hued in Solinus Concerning the Wonders of the World and he holds these in a ray of sunlight falling through the window, and finds all the colors of the rainbow, arranged as in it in the shaded part next the ray.

Moreover, the same experimenter places himself in a somewhat shady place and puts the stone up to his eye when it is almost closed, and beholds the colors of the rainbow clearly arranged, as in the bow. And because many persons making use of these stones think that it is on account of some special property of the stones and because of their

hexagonal shape the investigator proceeds further and finds this in a crystal, properly shaped, and in other transparent stones. And not only are these Irish crystals in white, but also black, so that the phenomenon occurs in smoky crystal and also in all stones of similar transparency. Moreover, in stones not shaped hexagonally, provided the surfaces are rough, the same as those of the Irish crystals, not entirely smooth and yet not rougher than those—the surfaces have the same quality as nature has given the Irish crystals, for the difference of roughness makes the difference of color. He watches, also, rowers and in the drops falling from the raised oars he finds the same colors, whenever the rays of the sun penetrate the drops. The case is the same with water falling from the paddles of a water-wheel. And when the investigator looks in a summer morning at the drops of dew clinging to the grass in the field or plane, he sees the same colors. And, likewise, when it rains, if he stands in a shady place and the sun's rays beyond him shine through the falling drops, then in some rather dark place the same colors appear, and they can often be seen at night about a candle. In the summer time, as soon as he rises from sleep while his eyes are not yet fully opened, if he suddenly looks at a window through which the light of the sun is streaming, he will see the colors. Again, sitting outside of the sunlight, if he holds his head covering beyond his eyes, or, likewise, if he closes his eyes, the same thing happens in the shade at the edges, and it also takes place through a glass vase filled with water, sitting in the sunlight. Similiarly, if any one holding water in his mouth suddenly sprinkles the water in jets and stands at the side of them; or if through a lamp of oil hanging in the air the rays shine in the proper way, or the light shines upon the surface of the oil, the colors again appear. Thus, in an infinite number of ways, natural as well as artificial, colors of this kind are to be seen, if only the diligent investigator knows how to find them. (After thus showing how the investigator gathers his data Roger Bacon goes on to discuss the form of the bow, the relation between the altitude of the sun and that of the bow, and finally tries to discover the nature of the bow. He thinks the bow itself is the result of reflection, each drop of rain acting as a mirror, but he cannot explain the occurrence of the colors, save as an optical illusion. His attempt at an experimental method is however important.)

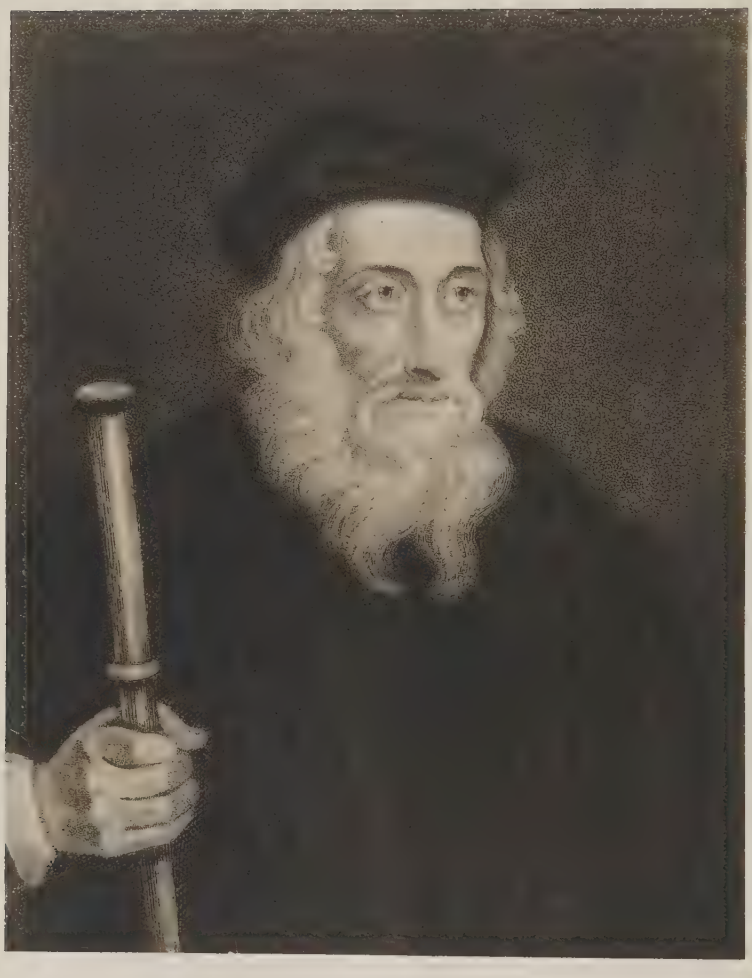
Experimental science is also that which alone, as the mistress of the speculative sciences, can discover magnificent truths in the fields of the other sciences, to which these other sciences can in no way attain.

And these truths are not of the nature of former truths, but they may be even outside of them, in the fields of things where there are neither as yet conclusions or principles, and good examples may be given of this, but in everything which follows it is not necessary for the inexperienced to seek a reason in order to understand at the beginning, but rather he will never have a reason before he has tried the experiment. Whence in the first place there should be credulity until experiment follows, in order that the reason may be found. If one who has never seen that a magnet draws iron nor heard from others that it attracts, seeks the reason before experimenting, he will never find it. Indeed, in the first place, he ought to believe those who have experimented or who have it from investigators, nor ought he to doubt the truth of it because he himself is ignorant of it and because he has no reason for it.

The third value of this science is this—it is on account of the prerogatives through which it looks, not only to the other sciences, but by its own power investigates the secrets of nature, and this takes place in two ways—in the knowledge of future and present events, and in those wonderful works by which it surpasses astronomy commonly so-called in the power of its conclusions. For Ptolemy in the introduction of the Almagest, says that there is another and surer way than the ordinary astronomy; that is, the experimental method which follows after the course of nature, to which many faithful philosophers, such as Aristotle and a vast crowd of the authors of predictions from the stars, are favorable, as he himself says, and we ourselves know through our own experience, which cannot be denied. This wisdom has been found as a natural remedy for human ignorance or imprudence; for it is difficult to have astronomical implements sufficiently exact and more difficult to have tables absolutely verified, especially when the motion of the planets is involved in them. The use of these tables is difficult, but the use of the instruments more so. This science has found definitions and ways through which it quickly comes to the answer of a whole question, as far as the nature of a single science can do so, and through which it shows us the outlines of the virtues of the skies and the influence of the sky upon this earth, without the difficulty of astronomy. This part so-called has four principal laws as the secret of the science, and some bear witness that a use of this science, which illustrates its nature, is in the change of a region in order that the customs of the people may be changed. In connection with which Aristotle, the most learned of philosophers, when Alexander asked of him concerning some tribes that he had found, whether he should kill them on account

of their barbarity or let them live, responded in the Book of Secrets, if you can change their air let them live; if not, kill them. He wished that their air could be altered usefully, so that the complexion of their bodies could be changed, and finally the mind aroused through the complexion should absorb good customs from the liberty of their environment; this is one use of this science.....

Some things change by touch alone and so have life, for *malta,* which is a kind of bitumin and is found in great quantities on the earth, when thrown over even an armed man burns him. The Romans suffered this disaster with great loss in besieging various places, as Pliny testifies in the second book of the Natural History, and history confirms. Thus citron oil, petroleum, that is, arising from salt-peter, burns whatever it touches, for a burning flame comes from it which can hardly be put out. Water does not extinguish it. Certain things shock the listener so much that if they take place suddenly and at night and with proper preparation, neither city nor town can endure them. No crash of thunder can be compared with them. Certain things strike such terror in the spectator that the lightnings of the clouds frighten him far less and without comparison: by which works Gideon is thought to have effected similar results in the camp of the Midianites. We have taken an experiment of this kind from that childish sport which is carried on in many parts of the world in such a way that from a preparation the size of a man's thumb so tremendous a noise arose, on account of the violence of that salt-peter, in the explosion of so small a thing,—a little *pergamenon*—that its violence seemed to exceed the roar of thunders and its flash the most vivid lightning.



WYCLIFFE

JOHN WYCLIFFE was born about 1320 in Yorkshire. He was educated at Oxford, and early took the side of the English court against the domination of the papacy, at that time located at Avignon and under the influence of the French kings. He was given a living at court, probably as king's chaplain, then placed in the rectory of Lutterworth, which he still held at the time of his death. Soon after this he was sent to Bruges as one of the delegates of the king to confer with the representatives of the pope. His stand brought him into conflict with the side of the papacy. His conclusions were condemned and he was ordered by the pope to be confined, out of regard for which command the university directed him to remain in his lodgings at Black Hall.

In 1378 he began actively to seek converts as against the papacy by translating the Bible into English and sending forth itinerant preachers to preach his doctrines of what he considered pure doctrine and the separation of the powers of State and Church. He was again brought before the University, and twenty-four of his articles condemned as heretical. This was in 1382 and from this date he seems to have spent most of his time at Lutterworth. He died on the last day of 1384. The vengeance of his enemies, unavailable during his life, followed him in death. The council of Constance in 1415 ordered his remains to be dug up and burned and the order was executed by Bishop Fleming thirteen years later.

Wycliffe started from the theories of the separation of State and Church advanced by Marsilius of Padua included later in this volume under the head of the State, and gradually extended them to cover substantially the ground embraced in the conclusions given below. John Ball, one of the leaders of the Peasant's revolt (also discussed later) claimed to have derived his communistic ideas from Wycliffe. Not long after Wycliffe's death his ideas subsided for a time in England, but they were kept alive in Bohemia through his disciple John Huss, and through him profoundly influenced Luther and the Protestant reformation.

WYCLIFFE AND GREGORY XI

Wycliffite Conclusions

I.—That the material substance of bread and of wine remains, after the consecration, in the sacrament of the altar.

II.—That the accidents do not remain without the subject, after the consecration, in the same sacrament.

III.—That Christ is not in the sacrament of the altar identically, truly and really in his proper corporal presence.

IV.—That if a bishop or priest lives in mortal sin he does not ordain, or consecrate, or baptize.

V.—That if a man has been truly repentant, all external confession is superfluous to him or useless.

VI.—Continually to assert that it is not founded in the gospel that Christ instituted the mass.

VII.—That God ought to be obedient to the devil.

VIII.—That if the pope is foreordained to destruction and a wicked man, and therefore a member of the devil, no power has been given to him over the faithful of Christ by any one, unless perhaps by the Emperor.

IX.—That since Urban the Sixth, no one is to be acknowledged as pope; but all are to live, in the way of the Greeks, under their own laws.

X.—To assert that it is against sacred scripture that men of the church should have temporal possessions.

XI.—That no prelate ought to excommunicate any one unless he first knows that the man is excommunicated by God.

XII.—That a person thus excommunicating is thereby a heretic or excommunicate.

XIII.—That a prelate excommunicating a clerk who has appealed to the king, or to a council of the kingdom, on that very account is a traitor to God, the king and the kingdom.

XIV.—That those who neglect to preach, or to hear the word of God, or the gospel that is preached, because of the excommunication of men, are excommunicate, and in the day of judgment will be considered as traitors to God.

XV.—To assert that it is allowed to any one, whether a deacon or a priest, to preach the word of God, without the authority of the apos-

tolic see, or of a Catholic bishop, or of some other which is sufficiently acknowledged.

XVI.—To assert that no one is a civil lord, no one is a bishop, no one is a prelate, so long as he is in mortal sin.

XVII.—That temporal lords may, at their own judgment, take away temporal goods from churchmen who are habitually delinquent; or that the people may, at their own judgment, correct delinquent lords.

XVIII.—That tithes are purely charity, and that parishoners may, on account of the sins of their curates, detain these and confer them on others at their will.

XIX.—That special prayers applied to one person by prelates or religious persons, are of no more value to the same person than general prayers for others in a like position are to him.

XX.—That the very fact that any one enters upon any private religion whatever, renders him more unfitted and more incapable of observing the commandments of God.

XXI.—That saints who have instituted any private religions whatever, as well of those having possessions as of mendicants, have sinned in thus instituting them.

XXII.—That religious persons living in private religions are not of the Christian religion.

XXIII.—That friars should be required to gain their living by the labor of their hands and not by mendicancy.

XXIV.—That a person giving alms to friars, or to a preaching friar, is excommunicate; also the one receiving.

Bull of Pope Gregory xi., Against John Wycliffe

Gregory, bishop, servant of the servants of God, to his beloved sons the Chancellor and University of Oxford, in the diocese of Lincoln, grace and apostolic benediction.

We are compelled to wonder and grieve that you, who, in consideration of the favors and privileges conceded to your University of Oxford by the apostolic see, and on account of your familiarity with the Scriptures, in whose sea you navigate, by the gift of God, with auspicious oar, you, who ought to be, as it were, warriors and champions of the orthodox faith, without which there is no salvation of souls, —that you through a certain sloth and neglect allow tares to spring up amidst the pure wheat in the fields of your glorious University aforesaid; and what is still more pernicious, even continue to grow to maturity. And you are quite careless, as has been lately reported to us,

as to the extirpation of these tares; with no little clouding of a bright name, danger to your souls, contempt of the Roman church, and injury to the faith above mentioned. And what pains us the more, is that this increase of the tares aforesaid is known in Rome before the remedy of extirpation has been applied in England where they sprang up. By the insinuation of many, if they are indeed worthy of belief, deploring it deeply, it has come to our ears that John deWycliffe, rector of the church of Lutterworth, in the diocese of Lincoln, Professor of the Sacred Scriptures, (would that he were not also Master of Errors,) has fallen into such a detestable madness that he does not hesitate to dogmatize and publicly preach, or rather vomit forth from the recesses of his breast certain propositions and conclusions which are erroneous and false. He has cast himself also into the depravity of preaching heretical dogmas which strive to subvert and weaken the state of the whole church and even secular polity, some of which doctrines, in changed terms, it is true, seem to express the perverse opinions and unlearned learning of Marsilio of Padua of cursed memory, and of John of Jandun, whose book is extant, rejected and cursed by our predecessor, Pope John XXII, of happy memory. This he has done in the kingdom of England, lately glorious in its power and in the abundance of its resources, but more glorious still in the glistening piety of its faith, and in the distinction of its sacred learning; producing also many men illustrious for their exact knowledge of the Holy Scriptures, mature in the gravity of their character, conspicuous in devotion, defenders of the Catholic church. He has polluted certain of the faithful of Christ by sprinkling them with these doctrines, and led them away from the right paths of the aforesaid faith to the brink of perdition.

Wherefore, since we are not willing, nay, indeed, ought not to be willing, that so deadly a pestilence should continue to exist with our connivance, a pestilence which, if it is not opposed in its beginnings, and torn out by the roots in its entirety, will be reached too late by medicines when it has infected very many with its contagion; we command your University with strict admonition, by the apostolic authority, in virtue of your sacred obedience, and under penalty of the deprivation of all the favors, indulgences, and privileges granted to you and your University by the said see, for the future not to permit to be asserted or proposed to any extent whatever, the opinions, conclusions, and propositions which are in variance with good morals and faith, even when those proposing strive to defend them under a certain fanci-

ful wresting of words or of terms. Moreover, you are on our authority to arrest the said John, or cause him to be arrested and to send him under a trustworthy guard to our venerable brother, the Archbishop of Canterbury, and the Bishop of London, or to one of them.

Besides, if there should be, which God forbid, in your University, subject to your jurisdiction, opponents stained with these errors, and if they should obstinately persist in them, proceed vigorously and earnestly to a similar arrest and removal of them, and otherwise as shall seem good to you. Be vigilant to repair your negligence which you have hitherto shown in the premises, and so obtain our gratitude and favor, and that of the said see, besides the honor and reward of the divine recompense.

Given at Rome, at Santa Maria Maggiore, on the 31st of May, the sixth year of our pontificate.

Reply of Wycliffe to his Summons by the Pope to Come to Rome, 1384

I have joy fully to tell to all true men that believe what I hold. and algates to the pope; for I suppose that if my faith be rightful and given of God, the pope will gladly confirm it; and if my faith be error, the Pope will wisely amend it.

I suppose over this that the gospel of Christ be heart of the corps of God's law; for I believe that Jesus Christ, that gave in His own person this gospel, is very God and very man, and by this heart passes all other laws.

I suppose over this that the pope be most obliged to the keeping of the gospel among all men that live here; for the pope is highest vicar that Christ has here in earth. For moreness of Christ's vicar is not measured by worldly moreness, but by this, that this vicar sues more Christ by virtuous living; for thus teacheth the gospel, that this is the sentence of Christ.

And of this gospel I take as believe, that Christ for time that He walked here, was most poor man of all, both in spirit and in having; for Christ says that He had nought for to rest His head on. And Paul says that He was made needy for our love. And more poor might no man be, neither bodily nor in spirit. And thus Christ put from Him all manner of worldly lordship. For the gospel of John telleth that when they would have made Christ king, He fled and hid Him from them, for He would none such worldly highness.

And over this I take it as believe, that no man should sue the pope,

nor no saint that now is in heaven, but in as much as he sues Christ. For John and James erred when they coveted worldly highness; and Peter and Paul sinned also when they denied and blasphemed in Christ; but men should not sue them in this, for then they went from Jesus Christ. And this I take as wholesome counsel, that the pope leave his worldly lordship to worldly lords, as Christ gave them,—and move speedily all his clerks to do so. For thus did Christ, and taught thus his disciples, till the fiend had blinded this world. And it seems to some men that clerks that dwell lastingly in this error against God's law, and flee to sue Christ in this, been open heretics, and their fautors been partners.

And if I err in this sentence, I will meekly be amended, yea, by the death, if it be skilful, for that I hope were good to me. And if I might travel in mine own person, I would with good will go to the pope. But God has needed me to the contrary, and taught me more obedience to God than to men. And I suppose of our pope that he will not be Antichrist, and reverse Christ in this working, to the contrary of Christ's will; for if he summon against reason, by him or by any of his, and pursue this unskilful summoning, he is an open Antichrist. And merciful intent excused not Peter, that Christ should not clepe him Satan; so blind intent and wicked counsel excuses not the pope here; but if he ask of true priests that they travel more than they may, he is not excused by reason of God, that he should not be Antichrist. For our belief teaches us that our blessed God suffers us not to be tempted more than we may; how should a man ask such service? And therefore pray we to God for our Pope Urban the Sixth, that his old holy intent be not quenched by his enemies. And Christ, that may not lie, says that the enemies of a man been especially his home family; and this is sooth of men and fiends.—Trans. and Reprints pub. by the Univ. of Penn.

THE STATE

THE MOST important movement toward the close of the middle ages is the development of national governments throughout Europe, i. e., the growth of the State. As in the system of the universe, so in government, there are always two great forces at work, one disintegrating, the other unifying. In government the disintegrating force is the desire for unhampered personal freedom, the integrating force is the realization of the advantages as regards safety and power that can be gained by the individual as a member of an organization, and especially as the director of such an organization. After the Teutons had swept over Europe, when the races of conquered and conqueror had begun to coalese, the governments of modern Europe began slowly to take form. Feudalism retarded this unification, but the crusades hastened it. By helping to ruin the nobles they left the king the stronger. As the power of the nobles decreased the cities came into importance, and in most cases they were supporters of the power of the king. In the fourteenth century the kings had become powerful enough to resist the claims of the papacy for universal temporal dominion. From this time on the nationalizing tendency rapidly increased, and was controlled and directed no longer so much by the nobles acting by themselves, but by the almost unnoted growth of the power of the people. This may be said to have made its first beginning in England with the Magna Carta: in France whatever tendency was generated in that direction was kept confined until it discharged itself in the great shock of the French revolution.

SAXONS AND NORMANS

In the meantime Harold returned from the battle with the Norwegians; happy, in his own estimation, at having conquered; but not so in mine, as he had secured the victory by parricide. When the news of the Norman's arrival reached him, reeking as he was from battle, he proceeded to Hastings, though accompanied by very few forces. No doubt the fates urged him on, as he neither summoned his troops, nor, had he been willing to do so, would he have found many ready to obey his call; so hostile were all to him, as I have before observed, from his having appropriated the northern spoils entirely to himself. He sent out some persons, however, to reconnoitre the number and strength of the enemy: these, being taken within the camp, William ordered to be led amongst the tents, and, after feasting them plentifully, to be sent back uninjured to their lord. On their return, Harold inquired what news they brought: when, after relating at full, the noble confidence of the general, they gravely added, that almost all his army had the appearance of priests, as they had the whole face, with both lips, shaven. For the English leave the upper lip unshorn, suffering the hair continually to increase; which Julius Cæsar, in his treatise on the Gallic War, affirms to have been a national custom with the ancient inhabitants of Britain. The king smiled at the simplicity of the relators, observing, with a pleasant laugh, that they were not priests, but soldiers, strong in arms, and invincible in spirit. His brother, Girth, a youth, on the verge of manhood, and of knowledge and valour surpassing his years, caught up his words: "Since," said he, "you extol so much the valour of the Norman, I think it ill-advised for you, who are his inferior in strength and desert, to contend with him. Nor can you deny being bound to him, by oath, either willingly, or by compulsion. Wherefore you will act wisely, if, yourself withdrawing from this pressing emergency, you allow us to try the issue of a battle. We, who are free from all obligation, shall justly draw the sword in defence of our country. It is to be apprehended, if you engage, that you will be either subjected to flight or to death: whereas, if we only fight, your cause will be

safe at all events: for you will be able both to rally the fugitives, and to avenge the dead."

His unbridled rashness yielded no placid ear to the words of his adviser, thinking it base, and a reproach to his past life, to turn his back on danger of any kind; and, with similar impudence, or to speak more favourably, imprudence, he drove away a monk, the messenger of William, not deigning him even a complacent look; imprecating only, that God would decide between him and the earl. He was the bearer of three propositions; either that Harold should relinquish the kingdom, according to his agreement, or hold it of William; or decide the matter by single combat in the sight of either army. For William claimed the kingdom, on the ground that king Edward, by the advice of Stigand, the archbishop, and of the earls Godwin and Siward, had granted it to him, and had sent the son and nephew of Godwin to Normandy, as sureties of the grant. If Harold should deny this, he would abide by the judgment of the pope, or by battle: on all which propositions, the messenger being frustrated by the single answer I have related, returned, and communicated to his party fresh spirit for the conflict.

The courageous leaders mutually prepared for battle, each according to his national custom. The English, as we have heard, passed the night without sleep, in drinking and singing, and, in the morning, proceeded without delay towards the enemy; all were on foot, armed with battle-axes, and covering themselves in front by the junction of their shields, they formed an impenetrable body, which would have secured their safety that day, had not the Normans, by a feigned flight, induced them to open their ranks, which till that time, according to their custom, were closely compacted. The king himself on foot, stood, with his brother, near the standard; in order that, while all shared equal danger, none might think of retreating. This standard William sent, after the victory, to the pope; it was sumptuously embroidered, with gold and precious stones, in the form of a man fighting.

On the other side, the Normans passed the whole night in confessing their sins, and received the sacrament in the morning: their infantry, with bows and arrows, formed the vanguard, while their cavalry, divided into wings, were thrown back. The earl, with serene countenance, declaring aloud, that God would favour his, as being the righteous side, called for his arms; and presently, when, through the

hurry of his attendants, he had put on his hauberk the hind part before, he corrected the mistake with a laugh; saying, "My dukedom shall be turned into a kingdom." Then beginning the song of Roland, that the warlike example of that man might stimulate the soldiers, and calling on God for assistance, the battle commenced on both sides. They fought with ardour, neither giving ground, for great part of the day. Finding this, William gave a signal to his party, that, by a feigned flight, they should retreat. Through this device, the close body of the English, opening for the purpose of cutting down the straggling enemy, brought upon itself swift destruction; for the Normans, facing about, attacked them thus disordered, and compelled them to fly. In this manner, deceived by a stratagem, thew met an honourable death in avenging their country; nor indeed were they at all wanting to their own revenge, as, by frequently making a stand, they slaughtered their pursuers in heaps: for, getting possession of an eminence, they drove down the Normans, when roused with indignation and anxiously striving to gain the higher ground, into the valley beneath, where, easily hurling their javelins and rolling down stones on them as they stood below, they destroyed them to a man. Besides, by a short passage, with which they were acquainted, avoiding a deep ditch, they trod under foot such a multitude of their enemies in that place, that they made the hollow level with the plain, by the heaps of carcasses. This vicissitude of first one party conquering, and then the other, prevailed as long as the life of Harold continued; but when he fell, from having his brain pierced with an errow, the flight of the English ceased not until night. The valour of both leaders was here eminently conspicious.

Harold, not merely content with the duty of a general in exhorting others, deligently entered into every soldier-like office; often would he strike the enemy when coming to close quarters, so that none could approach him with impunity; for immediately the same blow levelled both horse and rider. Wherefore, as I have related, receiving the fatal arrow from a distance, he yielded to death. One of the soldiers with a sword gashed his thigh, as he lay prostrate; for which shameful and cowardly action, he was branded with ignominy by William, and dismissed the service.

William too was equally ready to encourage by his voice and by his presence; to be the first to rush forward; to attack the thickest of the foe. Thus everywhere raging, everywhere furious, he lost three choice horses, which were that day pierced under him. The dauntless

spirit and vigour of the intrepid general, however, still persisted, though often called back by the kind remonstrance of his body-guard; he still persisted, I say, till approaching night crowned him with complete victory. And no doubt, the hand of God so protected him, that the enemy should draw no blood from his person, though they aimed so many javelins at him.

This was a fatal day to England, a melancholy havoc of our dear country, through its change of masters. For it had long since adopted the manners of the Angles, which had been very various according to the times: for in the first years of their arrival, they were barbarians in their look and manners, warlike in their usages, heathens in their rites; but, after embracing the faith of Christ, by degrees, and in process of time, from the peace they enjoyed, regarding arms only in secondary light, they gave their whole attention to religion. I say nothing of the poor, the meanness of whose fortune often restrains them from overstepping the bounds of justice: I omit men of ecclesiastical rank, whom sometimes respect to their profession, and sometimes the fear of shame, suffer not to deviate from the truth: I speak of princes, who from the greatness of their power might have full liberty to indulge in pleasure; some of whom, in their own country, and others at Rome, changing their habit, obtained a heavenly kingdom, and a saintly intercourse. Many during their whole lives in outward appearance only embraced the present world, in order that they might exhaust their treasures on the poor, or divide them amongst monasteries. What shall I say of the multitudes of bishops, hermits, and abbots? Does not the whole island blaze with such numerous relics of its natives, that you can scarcely pass a village of any consequence but you hear the name of some new saint, besides the numbers of whom all notices have perished through the want of records? Nevertheless, in process of time, the desire after literature and religion had decayed, for several years before the arrival of the Normans. The clergy, contented with a very slight degree of learning, could scarcely stammer out the words of the sacraments; and a person who understood grammar, was an object of wonder and astonishment. The monks mocked the rule of their order by fine vestments, and the use of every kind of food. The nobility, given up to luxury and wantonness, went not to church in the morning after the manner of Christians, but merely, in a careless manner, heard matins and masses from a hurrying priest in their chambers, amid the blandishments of their wives. The commonalty, left unprotected, became a prey to the most powerful, who

amassed fortunes, by either seizing on their property, or by selling their persons into foreign countries; although it be an innate quality of this people, to be more inclined to revelling, than to the accumulation of wealth. There was one custom, repugnant to nature, which they adopted; namely, to sell their female servants, when pregnant by them and after they had satisfied their lust, either to public prostitution, or foreign slavery. Drinking in parties was a universal practice, in which occupation they passed entire nights as well as days. They consumed their whole substance in mean and despicable houses; unlike the Normans and French, who, in noble and splendid mansions, lived with frugality. The vices attendant on drunkenness, which enervate the human mind, followed; hence it arose that engaging William, more with rashness, and precipitate fury, than military skill, they doomed themselves, and their country to slavery, by one, and that an easy, victory. "For nothing is less effective than rashness; and what begins with violence, quickly ceases, or is repelled." In fine, the English at that time, wore short garments reaching to the mid-knee; they had their hair cropped; their beards shaven; their arms laden with golden bracelets; their skin adorned with punctured designs. They were accustomed to eat till they became surfeited, and to drink till they were sick. These latter qualities they imparted to their conquerors; as to the rest, they adopted their manners.

I would not, however, have these bad propensities universally ascribed to the English. I know that many of the clergy, at that day, trod the path of sanctity, by a blameless life; I know that many of the laity, of all ranks and conditions, in this nation, were well-pleasing to God. Be injustice far from this account; the accusation does not involve the whole indiscriminately. "But, as in peace, the mercy of God often cherishes the bad and the good together; so, equally, does his severity, sometimes, include them both in captivity."

Moreover, the Normans, that I may speak of them also, were at that time, and are even now, proudly apparelled, delicate in their food, but not excessive. They are a race inured to war, and can hardly live without it; fierce in rushing against the enemy; and where strength fails of success, ready to use stratagem, or to corrupt by bribery. As I have related, the live in large edifices with economy; envv their equals; wish to excel their superiors; and plunder their subjects, though they defend them for others; they are faithful to their lords, though a slight offence renders them perfidious. They weigh treachery by its chance of success, and change their sentiments with money.

They are, however, the kindest of nations, and they esteem strangers worthy of equal honour with themselves. They also intermarry with their vassals. They revived, by their arrival, the observances of religion, which were everywhere grown lifeless in England. You might see churches rise in every village, and monasteries in the towns and cities, built after a style unknown before; you might behold the country flourishing with renovated rites; so that each wealthy man accounted that day lost to him, which he had neglected to signalize by some magnificent action. But having enlarged sufficiently on these points, let us pursue the transactions of William.

When his victory was complete, he caused his dead to be interred with great pomp; granting the enemy the liberty of doing the like, if they thought proper. He sent the body of Harold to his mother, who begged it, unransomed; though she proffered large sums by her messengers. She buried it, when thus obtained, at Waltham; a church which he had built at his own expense, in honour of the Holy Cross, and had endowed for canons. William then, by degrees proceeding, as became a conqueror, with his army, not after an hostile, but a royal manner, journeyed towards London, the principal city of the kingdom; and shortly after, all the citizens came out to meet him with gratulations. Crowds poured out of every gate to greet him, instigated by the nobility, and principally by Stigand, archbishop of Canterbury, and Aldred, of York. For, shortly before, Edwin and Morcar, two brothers of great expectation, hearing, at London, the news of Harold's death, solicited the citizens to exalt one of them to the throne: failing, however, in the attempt, they had departed for Northumberland, conjecturing, from their own feelings, that William would never come thither. The other chiefs would have chosen Edgar, had the bishops supported them; but, danger and domestic broils closely impending, neither did this take effect. Thus the English, who, had they united in one opinion, might have repaired the ruin of their country, introduced a stranger, while they were unwilling to choose a native, to govern them. Being now decidedly hailed king, he was crowned on Christmas-day by archbishop Aldred; for he was careful not to accept this office from Stigand, as he was not canonically an archbishop.—William of Malmesbury.

ENGLISH CITY INSTITUTIONS

The Growth of the cities was one of the significant movements of the latter part of the middle ages. Cities had obtained their local freedom by purchase from the lords that needed money to go to the Crusades, as a reward for some loyal service to the king, or by growing more powerful than their barons. Almost all of them, however, still paid taxes to their hereditary lord and to the king.

The local affairs were largely controlled by gilds, which were associations of master-tradesmen, embracing practically every industry and bearing much the same relation to the masters as the trades-unions do to the workmen of to-day. Yet as all industry was on a small scale, these masters in most trades were the skilled workmen, and as their employees were apprentices who expected after long service to be full-fledged masters themselves, the gilds were more associations of labor than capital.

CITY CUSTOMS

The city of Chester, in the time of King Edward, paid tax as being of fifty hides; three and a half hides of which were outside of the city. That is, one and a half hides were beyond the bride, and two hides in Newton and Redcliff, and in the bishop's borough; these paid tax with the city.

In the time of King Edward, there were in the city 431 houses paying tax. And besides these the bishop had 56 tax-paying houses. Then the city paid ten and a half marks of silver; two parts belonged to the king and the third to the earl. And the following laws existed there:

When peace had been granted by the hand of the king, or by his letter or through his bailiff, if any one broke it, the king had 100 shillings for it. But if the same peace of the king, at his order had been granted by the earl, if it was broken, of the 100 shillings which were given therefor, the earl had the third penny. If, however, the same peace was infringed when granted by the reeve of the king or the officer of the earl, it was compounded for by forty shillings, and the third penny belonged to the earl.

If any free man of the king broke the peace which had been granted and killed a man in his house, all his land and money came to the king, and he himself became an outlaw. The earl had the same concerning his man making this forfeiture. No one, however, except the king, was able to grant peace again to an outlaw.

He who shed blood between Monday morning and the ninth hour of Saturday compounded for it with ten shillings. From the ninth hour of Saturday to Monday morning bloodshed was compounded for with twenty shillings. Similarly any one paid twenty shillings who did this in the twelve days after Christmas, on the day of the Purification of the Blessed Mary, on the first day of Easter, the first day of Pentecost, Ascension Day, on the Assumption or Nativity of the Blessed Mary and on the day of All Saints.

He who killed a man on these holy days compounded for it with £4; but on other days with forty shillings. Similarly he who committed burglary or assault, on those feast days or on Sunday £4. On other days forty shillings.

Any one setting prisoners free in the city gave ten shillings. But if the reeve of the king or of the earl committed this offense he compounded for it with twenty shillings.

He who committed theft or robbery or exercised violence upon a woman in a house compounded for each of these with forty shillings.

If a widow had illegitimate intercourse with any one she compounded for it with twenty shillings; a girl, however, with ten shillings for a similar cause.

He who in the city seized upon the land of another and was not able to prove it to be his, was fined forty shillings. Similarly also he who made the claim upon it, if he was not able to prove it to be his.

He who wished to make relief of his own land or that of his relative gave ten shillings.

If he was not able or did not wish to do this the reeve took his land into the hand of the king.

He who did not pay the tax at the period at which he owed it compounded for it with ten shillings.

If fire burned in the city, he from whose house it started compounded for it with three oras of pennies, and gave to his next neighbor two shillings. Of all these forfeitures two parts belonged to the king and the third to the earl.

If without the license of the king ships came to the port of the city or departed from the port, from each man who was on the ships

the king and the earl had forty shillings. If against the peace of the king and after his prohibition the ship approached, as well it as the men, with all things which were upon it, did the king and the earl have.

If, however, with the peace and license of the king it had come, those who were in it sold what they had in peace; but when it went away, four pence from each lading did the king and the earl have. If to those having martens' skins the reeve of the king gave orders that to no one should they sell until they had first brought them and shown them to him; he who did not observe this compounded for it by paying forty shillings.

A man or a woman making false measure in the city, and being arrested, compounded for it with four shillings. Similarly a person making bad ale, was either placed in the ducking stool or gave four shillings to the reeve. This forfeiture the officer of the king and of the earl received in the city, in whosesoever land it had been, either of the bishop or of another man. Similarly also, if any one held the toll back beyond three nights, he compounded for it with forty shillings.

In the time of King Edward there were in this city seven moneyers, who gave seven pounds to the king and the earl, besides the ferm, when the money was turned over.

There were at that time twelve judges of the city, and these were from the men of the king, and of the bishop, and of the earl; if any one of these remained away from the hundred court on the day in which it sat, without a clear excuse, he compounded for it with ten shillings, between the king and the earl.

For repairing the city wall and the bridge the reeve summoned one man to come from each hide of the county. If the man of any one did not come his lord compounded for it to the king and the earl with forty shillings. This forfeiture was in addition to the ferm.

This city paid at that time of ferm £45 and three bundles of marten's skin. The third part belonged to the earl, and two to the king.

When Earl Hugh received it, it was worth only £30, for it was much wasted. There were 205 fewer houses there than there had been in the time of King Edward. Now there are just as many there as he found.

Murdret held this city from the earl for £70 and one mark of gold. He had a ferm for £50 and one mark of gold all the pleas of

the earl in the county and in the hundreds, with the exception of Inglefeld.

The land on which the temple of St. Peter stands, which Robert of Rodelend claimed for demesne land, as the county has proved, never pertained to the manor, outside the city, but pertains to the borough; and it has always been in the custom of the king and the earl, like that of other burgesses.

TYPICAL CHARTERS

Charter of Henry II. to the City of Lincoln

Henry, by the grace of God, king of England, duke of Normandy and Aquitaine, count of Anjou, to the bishop of Lincoln, justiciars, sheriffs, barons, officers and all his faithful, French and English, of Lincoln, greeting. Know that I have conceded to my citizens of Lincoln all their liberties and customs and laws, which they had in the time of Edward and William and Henry, kings of England; and their gild merchant of the men of the city and of other merchants of the county, just as they had it in the time of our aforesaid predecessors, kings of England, best and most freely. And all men who dwell within the four divisions of the city and attend the markets are to be at the gilds and customs and assizes of the city as they have been best in the time of Edward, William and Henry, kings of England. I grant to them moreover, that if anyone shall buy any land within the city, of the burgess of Lincoln, and shall have held it for a year and a day without any claim, and he who has bought it is able to show that the claimant has been in the land of England within the year and has not claimed it, for the future as before he shall hold it well and in peace, and without any prosecution. I confirm also to them, that if anyone shall have remained in the city of Lincoln for a year and a day without claim on the part of any claimant, and has given the customs, and is able to show by the laws and customs of the city that the claimant has been in existence in the land of England and has not made a claim against him, for the future as in the past he shall remain in peace, in my city of Lincoln, as my citizen. Witnesses, E., bishop of Lisieux; Thomas, chancellor; H., constable; Henry of Essex, constable. At Nottingham.

Charter of Henry II. to Wallingford

Henry, by the grace of God, King of England, Duke of Normandy and Aquitaine, and Count of Anjou, ... I command you that my burgesses of Wallingford shall have my secure peace through my whole land of England and Normandy, wherever they may be. And know that I have given and conceded to them forever all their liberties and laws and customs well and honorably, just as they had them best and most honorably in the time of King Edward, and in the time of my great grandfather King William, and of his son, the second King William, and in the time of King Henry, my grandfather; that is to say, that they should have freely the gild merchant with all its customs and laws, so that neither my bailiff nor any justice of mine should meddle with their gild; but only their own alderman and officer. And if my officers or any justice shall have brought suit against them in any plea or for any occasion or shall have wished to lead them into a suit, I forbid it, and require that they should not make defense in any manner, except in their own proper portmote. And if the reeve himself shall implead them on any occasion without an accuser, they shall not respond, and if on account of any transgression or by a right judgment any one of them shall have made forfeiture by a right consideration of the burgesses, to the reeve shall he pay it. I forbid, moreover, and require that there shall be no market in Craumersa, nor any merchant, unless he is in the gild of the merchants; and if anyone goes out from the borough of Wallingford and lives from the merchandise of the same Wallingford, I command that he should make the right gild of the merchants with the same burgesses, wherever he may be, within the borough or without. Know moreover, that I have given and conceded forever to all the men of Wallingford full quittance from my yearly rent, which they were accustomed to pay from the borough of Wallingford; that is to say, from that which pertains to me in the borough. All these laws and customs and liberties and quittances I give to them and concede forever, and all others which they are able to show that their ancestors had, freely, quietly, and honorably, just as my citizens of Winchester ever had them at the best; and this on account of the great service and labor which they sustained for me in the acquisition of my hereditary right in England. I concede to them, moreover, that wherever they shall go in their journeys as merchants, through my whole land of England and Normandy, Aquitaine and Anjou, "by water and by strand, by wood and by land,"

they shall be free from toll and passage fees, and from all customs and exactions; nor are they to be troubled in this respect by any one, under a penalty of £10. I forbid, moreover, and require under the same penalty, that the reeve of Wallingford shall not make any fine of scotale or New Year's gift from any one, and that he shall not establish any custom in Wallingford which shall injure the burgesses of the town. Of this grant and concession, the witnesses are Theobald, archbishop of Canterbury and others. Given at Oxford, the first day before the Ides of January.

A TYPICAL GILD

Articles of the Spurriers of London

1345

Be it remembered, that on Tuesday, the morrow of St. Peter's Chains, in the nineteenth year of the reign of King Edward III, the Articles underwritten were read before John Hammond, Mayor, Roger de Depham, Recorder, and the other Aldermen; and seeing that the same were deemed befitting, they were accepted and enrolled in these words.

In the first place,—that no one of the trade of Spurriers shall work longer than from the beginning of the day until curfew rung out at the Church of St. Sepulchre, without Newgate; by reason that no man can work so neatly by night as by day. And many persons of the said trade, who compass how to practice deception in their work, desire to work by night rather than by day; and then they introduce false iron, and iron that has been cracked, for tin, and also they put gilt on false copper, and cracked. And further,—many of the said trade are wandering about all day, without working at all at their trade; and then, when they have become drunk and frantic, they take to their work, to the annoyance of the sick, and all their neighborhood, as well by reason of the broils that arise between them and the strange folks who are dwelling among them. And then they blow up their fires so vigorously, that their forges begin all at once to blaze; to the great peril of themselves and of all the neighborhood around. And then, too, all the neighbors are much in dread of the sparks, which so vigorously issue forth in all directions from the mouths of the chimneys in their forges. By reason thereof it seems unto them that working by night should be put an end to, in order such false work and such perils to

avoid; and, therefore, the Mayor and the Aldermen do will, by the assent of the good folks of the said trade, and for the common profit, that from henceforth such time for working, and such false work made in the trade, shall be forbidden. And if any person shall be found in the said trade to do contrary hereof, let him be amerced, the first time in 40 pence, one-half thereof to go to the use of the Chamber of the Guild-hall, of London, and the other half to the use of the said trade; the second time, in half a mark, and the third time in 10 shillings to the use of the same Chamber and trade; and the fourth time, let him forswear the trade for ever.

Also, that no one of the said trade shall hang his spurs out on Sundays, or on any other days that are Double Feasts; but only a sign indicating his business: and such spurs as they shall so sell, they are to shew and sell within their shops, without exposing them without, or opening the doors or windows of their shops, on the pain aforesaid.

Also, that no one of the said trade shall keep a house or shop to carry on his business, unless he is free of the city; and that no one shall cause to be sold, or exposed for sale, any manner of old spurs for new ones, or shall garnish them or change them for new ones.

Also, that no one of the said trade shall take an apprentice for a less term than seven years, and such apprentice shall be enrolled according to the usuages of the said city.

Also, that if any one of the said trade, who is not a freeman, shall take an apprentice for a term of years, he shall be amerced as aforesaid.

Also, that no one of the said trade shall receive the apprentice, serving-man or journeyman of another in the same trade, during the term agreed upon between his master and him; on the pain aforesaid.

Also, that no alien of another country, or foreigner of this country, shall follow or use the said trade, unless he is enfranchised before the Mayor, Alderman, and Chamberlain; and that, by witness and surety of the good folks of the said trade, who will undertake for him, as to his loyalty and his good behavior.

Also, that no one of the said trade shall work on Saturdays, after Noon has been rung out in the City; and not from that hour until the Monday morning following.—Univ. of Penn. Translations and Reprints.

NORMAN JUDICIAL CUSTOMS

ASSIZE OF CLARENDON, 1166

1. In the first place, the aforesaid king Henry, by the counsel of all his barons, for the preservation of peace and the observing of justice, had decreed that an inquest shall be made throughout the separate counties, and throughout the separate hundreds, through twelve of the more lawful men of the hundred, and through four of the more lawful men of each township, upon oath that they will speak the truth: whether in their hundred or in their township, there be any man who, since the lord king has been king, has been charged or published as being a robber or murderer or thief; or any one who is a harborer of robbers or murderers or thieves. And the Justices shall make this inquest by themselves, and the sheriffs by themselves.

2. And he who shall be found through the oath of the aforesaid persons to have been charged or published as being a robber, or murderer, or thief, or a receiver of them, since the lord king has been king, shall be taken and shall go to the ordeal of water, and shall swear that he was not a robber, or murderer, or thief, or receiver of them since the lord king has been king, to the extent of five shillings, as far as he knows.

3. And if the lord of him who has been taken, or his steward, or his vassals, shall, as his sureties, demand him back within three days after he has been taken, he himself, and his chattels, shall be remanded under surety until he shall have done his law.

4. And when a robber, or murderer, or thief, or harborers of them, shall be taken on the aforesaid oath, if the Justices shall not be about to come quickly enough into that county where they have been taken, the sheriffs shall send word to the nearest Justice, through some intelligent man, that they have taken such men; and the Justices shall send back word to the sheriffs, where they wish those men to be brought before them: and the sheriffs shall bring them before the Justices. And with them they shall bring, from the hundred or town-

ship where they were taken, two lawful men to bear record on the part of the county and hundred, as to why they were taken; and there, before the Justice, they shall do their law.

5. And in the case of those who shall be taken on the aforesaid oath of this Assize, no one shall have court or justice or chattels, save the king himself in his own court, before his own Justices; and the lord king shall have all their chattels. But in the case of those who shall be taken otherwise than through this oath, it shall be as it ordinarily is and ought to be.

6. And the sheriffs who take them, shall lead them before the Justice, without other summons than they have from him. And when the robbers, or murderers, or thieves, or receivers of them, who shall be taken through the oath or otherwise, are given over to the sheriffs, they also shall receive them straightway without delay.

7. And, in the different counties where there are no jails, such shall be made in the burgh or in some castle of the king, from the money of the king, and from his woods, if they be near, or from some other neighboring woods, by view of the servants of the king; to this end, that the sheriffs may keep in them those who shall be taken by the servitors, who are accustomed to do this, and through their servants.

8. The lord king wills also, that all shall come to the county courts to take this oath; so that no one shall remain away, on account of any privilege that he has, or of a court or soc that he may have, from coming to take this oath.

9. And let there be no one, within his castle or without his castle, nor even in the honor of Wallingford, who shall forbid the sheriffs to enter into his court or his land, to take the view of frankpledge; and let all be under pledges: and let them be sent before the sheriffs under free pledge.

10. And, in the cities or burroughs, let no one have men or receive them in his home, or his land, or his soc, whom he will not take in hand to present before the Justice if they be required; or let them be in frankpledge.

11. And let there be none within a city, or burroughs, or castle, or without it, nor also in the honor of Wallingford, who shall forbid the sheriffs to enter into their land, or soc, to take those who shall have been charged or published as being robbers, or murderers, or thieves, or harborers of the same, or outlawed or accused with regard to the forest, but he (the king) commands that they shall aid them

(the sheriffs) to take them (the robbers, etc.).

12. And if any shall be taken who shall be possessed of robbed or stolen goods, if he be notorious and have evil testimony from the public, and have no warrant, he shall not have law. And if he be not notorious, on account of the goods in his possession, he shall go to the water.

13. And if any one shall confess before lawful men, or in the hundred court, concerning robbery, murder, or theft, or the harboring of those committing them, and afterwards wish to deny it, he shall not have law.

14. The lord king wishes also that those who shall be tried, and shall be absolved by the law, if they be of very bad testimony, and are publicly and disgracefully defamed by the testimony of many and public men, shall forswear the lands of the king, so that within eight days they shall cross the sea, unless the wind detains them; and, with the first wind which they shall have afterwards, they shall cross the sea; and they shall not return any more to England, unless by the mercy of the lord king: and there, and if they return, they shall be outlawed; and if they return, they shall be taken as outlaws.

15. And the lord king forbids that any waif, that is, vagabond or unknown person, shall be entertained any where except in the burgh, and there he shall not be entertained more than a night, unless he become ill there, or his horse, so that he can show an evident essoin.

16. And if he shall have been there more than one night, he shall be taken and held until his lord shall come to pledge him, or until he himself shall procure safe pledges; and he likewise shall be taken who shall have entertained him.

17. And if any sheriff shall send word to another sheriff that men have fled from his county into another county on account of robbery, or murder, or theft, or the harboring of them, or for outlawry, or for a charge with regard to the forest of the king, he (the sheriff who is informed) shall capture them: and even if he learn it of himself, or through others, that such men have fled into his county, he shall take them and keep them in custody until he have safe pledges from them.

18. And all sheriffs shall cause a register to be kept of all fugitives who shall flee from their counties; and this they shall do before the county assembles; and they shall write down and carry their names to the Justices when first they shall come to them, so that they may be sought for throughout all England, and their chattels may be taken

for the service of the king.

19. And the lord king wills that, from the time when the sheriffs shall receive the summons of the itinerant Justices to appear before them with their counties, they shall assemble their counties, and shall seek out all who have come anew into their counties since this assize; and they shall send them away under pledege that they will come before the Justices, or they shall keep them in custody until the Justices come to them, and then they shall bring them before the Justices.

20. The lord king forbids, moreover, that monks or canons, or any religious house, receive any one of the petty people as monk, or canon, or brother, until they know of what testimony he is, unless he shall be sick unto death.

21. The lord king forbids, moreover, that any one in all England receive in his land, or his soc, or the home under him, any one of that sect of renegades who were excommunicated and branded at Oxford. And if any one receive them, he himself shall be at the mercy of the lord king; and the house in which they have been shall be carried without the town and burned. And each sheriff shall swear that he will observe this, and shall cause all his servitors to swear this, and the stewards of the barons, and all the knights and free tenants of the counties.

22. And the lord king wills that this assize shall be kept in his kingdom as long as it shall please him.—Stubb's Charters.

THE MAGNA CARTA

In the century after the conquest the Saxons and Normans began to intermingle, and a new national feeling began to assert itself. The unorganized feudalism of the Saxons had already given place under the Normans to the absolutism of the king, and the new national spirit took the form of a stand against the exactions of the ruler. The climax came under John, the third of the Plantagenet kings. His reckless levying of various taxes and aids brought upon him an uprising of the nation, led by the barons with the Archbishop of Canterbury, Stephen Langton, at their head.

Langton lived from 1150 to 1228. When Hubert Walter, Archbishop of Canterbury, died, a majority of the English monks elected one new archbishop, while the minority with the aid of King John appointed another. The pope set both of them aside and commanded the election of Langton. This was the cause of John's quarrel with the pope. After the pope forced John's submission by interdicting him, Langton was finally recognized by the king. When Langton absolved John, the king swore to keep the laws of Henry II, but broke them almost as soon as the oath was uttered. Langton produced the old charter of Henry I, and urged its reconfirmation. John was forced to meet his nobles at Runnymede and sign the charter drawn up, probably almost entirely, by Langton. This was the Magna Carta. It contained few absolutely new provisions, but brought together the most important rights that had been enjoyed by English freemen, and gave them the immense emphasis of being solemnly acknowledged in their entirety by the king. The charter, though often broken, was many times reaffirmed, and remains to-day the basis of the English constitution.

In 1265 a foreign courtier, Simon de Montfort, summoned the sheriffs to return two knights from each county at large and two burghers from every city to meet in parliament at the same time as the lords. This was the beginning of the House of Commons. Its growth is parallel with the growth of representative government in England. This and the Magna Carta are the first two great movements toward English liberty.

MAGNA CARTA

1215

John, by the grace of God king of England, lord of Ireland, duke of Normandy and Aquitaine, count of Anjou: to the archbishops, bishops, abbots, earls, barons, justices, foresters, sheriffs, prevosts, serving men, and to all his bailiffs and faithful subjects greeting. Know that we, by the will of God and for the safety of our soul, and of the souls of all our predecessors and our heirs, to the honor of God and for the exalting of the holy church and the bettering of our realm: by the counsel of our venerable fathers, Stephen archbishop of Canterbury, primate of all England and cardinal of the holy Roman church; of Henry archbishop of Dublin; of the bishops William of London, Peter of Winchester, Jocelin of Bath and Glastonbury, Hugo of Lincoln, Walter of Worcester, William of Coventry and Benedict of Rochester; of master Pandulf, subdeacon and of the household of the lord pope; of brother Aymeric, master of the knights of the Temple in England; and of the noble men, William Marshall earl of Pembroke, William earl of Salisbury, William earl of Warren, William earl of Arundel, Alan de Galway constable of Scotland, Warin son of Gerold, Peter son of Herbert, Hubert de Burgh seneschal of Poictiers, Hugo de Neville, Matthew son of Herbert, Thomas Basset, Alan Basset, Philip D'Aubigni, Robert de Roppelay, John Marshall, John son of Hugo, and others of our faithful subjects:

1. First of all have granted to God, and, for us and for our heirs forever, have confirmed, by this our present charter, that the English church shall be free and shall have its rights intact and its liberties uninfringed upon. And thus we will that it be observed. As is apparent from the fact that we, spontaneously and of our own free will, before discord broke out between ourselves and our barons, did grant and by our charter confirm—and did cause the lord pope Innocent III. to confirm—freedom of elections, which is considered most important and most necessary to the church of England. Which charter both we ourselves shall observe, and we will that it be observed with good faith by our heirs forever. We have also granted to all free men of our realm, on the part of ourselves and our heirs forever, all the subjoined liberties, to have and to hold, to them and to their heirs, from us and from our heirs:

2. If any one of our earls or barons, or of others holding from us in chief through military service, shall die; and if, at the time of his death, his heir be of full age and owe a relief: he shall have his inheritance by paying the old relief;—the heir, namely, or the heirs of an earl, by paying one hundred pounds for the whole barony of an earl; the heir or heirs of a baron, by paying one hundred pounds for the whole barony; the heir or heirs of a knight, by paying one hundred shillings at most for a whole knight's fee; and he who shall owe less, shall give less, according to the ancient custom of fees.

3. But if the heir of any of the above persons shall be under age and in wardship,—when he comes of age, he shall have his inheritance without relief and without fine.

4. The administrator of the land of such heir who shall be under age, shall take none but reasonable customs and services; and this without destruction and waste of men or goods. And if we shall have committed the custody of any such land to the sheriff, or to any other man who ought to be responsible to us for the issues of it, and he cause destruction or waste to what is in his charge: we will fine him, and the land shall be handed over to two lawful and discreet men of that fee, who shall answer to us, or to him to whom we shall have referred them, regarding those issues. And if we shall have given or sold to any one the custody of any such land, and he shall have caused destruction or waste to it,—he shall lose that custody, and it shall be given to two lawful and discreet men of that fee, who likewise shall answer to us, as has been explained.

5. The administrator, moreover, so long as he may have the custody of the land, shall keep in order, from the issues of that land, the houses, parks, warrens, lakes, mills, and other things pertaining to it. And he shall restore to the heir, when he comes to full age, his whole land, stocked with ploughs and wainnages, according as the time of the wainnage requires and the issues of the land will reasonably permit.

6. Heirs may marry without disparagement; so, nevertheless, that, before the marriage is contracted, it shall be announced to the relations by blood of the heir himself.

7. A widow, after the death of her husband, shall straightway, and without difficulty, have her marriage portion and her inheritance, nor shall she give any thing in return for her dowry, her marriage portion, or the inheritance which belonged to her, and which she and her husband held on the day of the death of that husband. And she

may remain in the house of her husband, after his death, for forty days; within which her dowry shall be paid over to her.

8. No widow shall be forced to marry when she prefers to live without a husband; so, however, that she gives security not to marry without our consent, if she hold from us, or the consent of the lord from whom she holds, if she hold from another.

9. Neither we nor our bailiffs shall seize any revenue for any debt, so long as the chattels of the debtor suffice to pay the debt; nor shall the sponsors of that debtor be distrained, so long as that chief debtor has enough to pay the debt. But if the chief debtor fail in paying the debt, not having the wherewithal to pay it, the sponsors shall answer for the debt. And, if they shall wish, they may have the lands and revenues of the debtor until satisfaction shall have been given them for the debt previously paid for him; unless the chief debtor shall show that he is quit in that respect towards those same sponsors.

10. If any one shall have taken any sum, great or small, as a loan from the Jews, and shall die before that debt is paid,—that debt shall not bear interest, so long as the heir, from whomever he may hold, shall be under age. And if the debt fall into our hands we shall take nothing save the chattel contained in the deed.

11. And if any one dies owing a debt to the Jews, his wife shall have her dowry, and shall restore nothing of that debt. But if there shall remain children of that dead man, and they shall be under age, the necessaries shall be provided for them according to the nature of the dead man's holding; and, from the residue, the debt shall be paid, saving the service due to the lords. In like manner shall be done concerning debts that are due to others besides Jews.

12. No scutage or aid shall be imposed in our realm unless by the common counsel of our realm; except for redeeming our body, and knighting our eldest son, and marrying once our eldest daughter. And for these purposes there shall only be given a reasonable aid. In like manner shall be done concerning the aids of the city of London.

13. And the city of London shall have all its old liberties and free customs as well by land as by water. Moreover, we will and grant that all other cities and burroughs, and towns and ports, shall have all their liberties and free customs.

14. And, in order to have the common counsel of the realm in the matter of assessing an aid otherwise than in the aforesaid cases, or if assessing a scutage,—we shall cause, under seal through our

letters, the archbishops, bishops, abbots, earls, and greater barons to be summoned for a fixed day—for a term, namely, at least forty days distant,—and for a fixed place. And, moreover, we shall cause to be summoned in general, through our sheriffs and bailiffs, all those who hold of us in chief. And in all those letters of summons we shall express the cause of the summons. And when a summons has thus been made, the business shall be proceeded with on the day appointed according to the counsel of those who shall be present, even though not all shall come who are summoned.

15. We will not allow any one henceforth to take an aid from his freemen, save for the redemption of his body, and the knighting of his eldest son, and the marrying, once, of his eldest daughter; and, for these purposes, there shall only be given a reasonable aid.

16. No one shall be forced to do more service for a knight's fee, or for another free holding, than is due from it.

17. Common pleas shall not follow our court, but shall be held in a certain fixed place.

18. Assizes of novel disseisin, of mort d'ancestor, and of darrein presentment shall not be held, save in their own counties, and in this way: we, or our chief justice, if we shall be absent from the kingdom, shall send two justices through each county four times a year; they, with four knights from each county, chosen by the county, shall hold the aforesaid assizes in the county, and on the day and at the place of the county court.

19. And if on the day of the county court, the aforesaid assizes can not be held, a sufficient number of knights and tenants, from those who were present at the county court on that day, shall remain, so that through them the judgments may be suitably given, according as the matter may have been great or small.

20. A freeman shall only be amerced for a small offence according to the measure of that offence. And for a great offence he shall be amerced according to the magnitude of the offence, saving his contentment; and a merchant, in the same way, saving his merchandize. And a villein, in the same way, if he fall under our mercy, shall be amerced saving his wainnage. And none of the aforesaid fines shall be imposed, save upon oath of upright men from the neighborhood.

21. Earls and barons shall not be amerced save through their peers, and only according to the measure of the offence.

22. No clerk shall be amerced for his lay tenement, except accord-

ing to the manner of the other persons aforesaid; and not according to the amount of his ecclesiastical benefice.

23. Neither a town nor a man shall be forced to make bridges over the rivers, with the exception of those who, from of old and of right ought to do it.

24. No sheriff, constable, coroners, or other bailiffs of ours shall hold the pleas of our crown.

25. All counties, hundreds, wapentakes and trithing—our demesne manors being excepted—shall continue according to the old farms, without any increase at all.

26. If any one holding from us a lay free shall die, and our or bailiff can show our letters patent containing our summons for the debt which the dead man owed to us,—our sheriff or bailiff may be allowed to attach and enroll the chattels of the dead man to the value of that debt, through view of lawful men; in such way, however, that nothing shall be removed thence until the debt is paid which was plainly owed to us. And the residue shall be left to the executors, that they may carry out the will of the dead man. And if nothing is owed to us by him, all the chattels shall go to the use prescribed by the deceased, saving their reasonable portions to his wife and children.

27. If any freeman shall have died intestate, his chattels shall be distributed through the hands of his near relatives and friends, by view of the church; saving to any one the debts which the dead man owed him.

28. No constable or other bailiff of ours shall take the corn or other chattels of any one, except he straightway give money for them, or can be allowed a respite in that regard by the will of the seller.

29. No constable shall force any knight to pay money for castle-ward if he be willing to perform that ward in person, or—he for a reasonable cause not being able to perform it himself—through another proper man. And if we shall have led or sent him on a military expedition, he shall be quit of ward, according to the amount of time during which, through us, he shall have been in military service.

30. No sheriff nor bailiff of ours, nor any one else, shall take the horses or carts of any freeman for transport, unless by the will of that freeman.

31. Neither we nor our bailiffs shall take another's wood for castles, or for other private uses, unless by the will of him to whom the wood belongs.

32. We shall not hold the lands of those convicted of felony longer than a year and a day; and then the lands shall be restored to the lords of the fiefs.

33. Henceforth all the weirs in the Thames and Medway, and throughout all England, save on the sea-coast, shall be done away with entirely.

34. Henceforth the writ which is called *Praecipe* shall not be served on any one for any holding, so as to cause a free man to lose his court.

35. There shall be one measure of wine throughout our whole realm, and one measure of ale, and one measure of corn—namely, the London quart;—and one width of dyed and russet and hauberk cloths —namely, two ells below the selvage. And with weights, moreover, it shall be as with measures.

36. Henceforth nothing shall be given or taken for a writ of inquest, in a matter concerning life or limb; but it shall be conceded gratis, and shall not be denied.

37. If any one hold of us in fee-farm, or in socage, or in burkage, and hold land of another by military service, we shall not, by reason of that fee-farm, or socage, or burkage, have the wardship of his heir, or if his land which is held in fee from another. Nor shall we have the wardship of that fee-farm, or socage, or burkage, unless that fee-farm owe military service. We shall not, by reason of some petit-serjeanty, which some one holds of us through the service of giving us knives, or arrows, or the like, have the wardship of his heir, or of the land which he holds of another by military service.

38. No bailiff, on his own simple assertion, shall henceforth put any one to his law, without producing faithful witnesses in evidence.

39. No freeman shall be taken, or imprisoned, or disseized, or outlawed, or exiled, or in any way harmed—nor will we go upon or send upon him—save by the lawful judgment of his peers, or by the law of the land.

40. To none will we sell, to none deny or delay, right or justice.

41. All merchants may safely and securely go out of England, and come into England, and delay and pass through England, as well by land as by water, for the purpose of buying and selling, free from all evil taxes, subject to the ancient and right customs—save in time of war, and if they are of the land at war against us. And if such be found in our land at the beginning of the war, they shall be held, without harm to their bodies and goods, until it shall be known to us or

our chief justice how the merchants of our land are to be treated who shall, at that time, be found in the land at war against us. And if ours shall be safe there, the others shall be safe in our land.

42. Henceforth any person, saving fealty to us, may go out of our realm and return to it, safely and securely, by land and by water, except perhaps for a brief period in time of war, for the common good of the realm. But prisoners and outlaws are excepted according to the law of the realm; also people of a land at war against us, and the merchants, with regard to whom shall be done as we have said.

43. If any one hold from any escheat—as from the honor of Wallingford, Nottingham, Boloin, Lancaster, or the other escheats which are in our hands and are baronies—and shall die, his heir shall not give another relief, nor shall he perform for us other service than we would perform for a baron if that barony were in the hand of a baron; and we shall hold it in the same way in which the baron has held it.

44. Persons dwelling without the forest shall not henceforth come before the forest justices, through common summonses, unless they are impleaded or are the sponsors of some person or persons attached for matters concerning the forest.

45. We will not make men justices, constables, sheriffs, or bailiffs, unless they are such as know the law of the realm, and are minded to observe it rightly.

46. All barons who have founded abbeys for which they have charters of the kings of England, or ancient right of tenure, shall have, as they ought to have, their custody when vacant.

47. All forests constituted as such in our time shall straightway be annulled; and the same shall be done for river banks made into places of defense by us in our time.

48. All evil customs concerning forests and warrens, and concerning foresters and warreners, sheriffs and their servants, river banks and their guardians, shall straightway be inquired into in each county, through twelve sworn knights from that country, and shall be eradicated by them entirely, so that they shall never be renewed, within forty days after the inquest has been made; in such manner that we shall first know about them, or our justice if we be not in England.

49. We shall straightway return all hostages and charters which were delivered to us by Englishmen as a surety for peace or faithful service.

50. We shall entirely remove from their bailiwicks the relatives

of Gerard de Athyes, so that they shall henceforth have no bailiwick in England: Engelard de Cygnes, Andrew Peter and Gyon de Chanceles, Gyon de Cygnes, Geoffrey de Martin and his brothers, Philip Mark and his brothers, and Geoffrey his nephew, and the whole following of them.

51. And straightway after peace is restored we shall remove from the realm all the foreign soldiers, crossbowmen, servants, hirelings, who may have come with horses and arms to the harm of the realm.

52. If any one shall have been disseized by us, or removed, without a legal sentence of his peers, from his lands, castles, liberties or lawful right, we shall straightway restore them to him. And if a dispute shall arise concerning this matter, it shall be settled according to the judgment of the twenty-five barons who are mentioned below as sureties for the peace. But with regard to all those things of which any one was, by King Henry, our father, or King Richard, our brother, disseized or dispossessed without legal judgment of his peers, which we have in our hand or which others hold, and for which we ought to give a guarantee, we shall have respite until the common term for crusaders, except with regard to those concerning which a plea was moved, or an inquest made by our order, before we took the cross. But when we return from our pilgrimage, or if, by chance, we desist from our pilgrimage, we shall straightway then show full justice regarding them.

53. We shall have the same respite, moreover, and in the same manner, in the matter of showing justice with regard to forests to be annulled and forests to remain, which Henry, our father, or Richard, our brother, constituted; and in the matter of wardships of lands which belong to the fee of another—wardships of which kind we have hitherto enjoyed by reason of the fee which someone held from us in military service;—and in the matter of abbeys founded in the fee of another than ourselves—in which the lord of the fee may say that he has jurisdiction. And when we return, or if we desist from our pilgrimage, we shall straightway exhibit full justice to those complaining with regard to these matters.

54. No one shall be taken or imprisoned on account of the appeal of a woman concerning the death of another than her husband.

55. All fines imposed by us unjustly and contrary to the law of the land, and all amerciaments made justly and contrary to the law of of the land, shall be altogether remitted, or it shall be done with regard to them according to the judgment of the twenty-five barons mentioned

below as sureties for the peace, or according to the judgment of the majority of them, together with the aforesaid Stephen, archbishop of Canterbury, if he can be present, and with others whom he may wish to associate with himself for this purpose. And if he can not be present, the affair shall nevertheless proceed without him, in such way that if one or more of the said twenty-five barons shall be concerned in a similar complaint, they shall be removed as to this particular decision, and, in their place, for this purpose alone, others shall be substituted who shall be chosen and sworn by the remainder of those twenty-five.

56. If we have disseized or dispossessed Welshmen of their lands or liberties or other things without legal judgment of their peers, in England or in Wales, they shall straightway be restored to them. And if a dispute shall arise concerning this, then action shall be taken upon it in the March through judgment of their peers—concerning English holdings, according to the law of England, concerning Welsh holdings according to the law of Wales, concerning holdings in the March according to the law of the March. The Welsh shall do likewise with regard to us and our subjects.

57. But with regard to all those things of which anyone of the Welsh was, by King Henry, our father, or King Richard, our brother, disseized or dispossessed without legal judgment of his peers, which we have in our hand or which others hold, and for which we ought to give a guarantee, we shall have respite until the common term for crusaders. Except with regard to those concerning which a plea was moved, or an inquest made by our order, before we took the cross. But when we return from our pilgrimage, or if, by chance, we desist from our pilgrimage, we shall straightway then show full justice regarding them, according to the laws of Wales and the aforesaid districts.

58. We shall straightway return the son of Llewelin and all the Welsh hostages, and the charters delivered to us as surety for the peace.

59. We shall act towards Alexander, King of the Scots, regarding the restoration of his sisters, and his hostages, and his liberties and his lawful right, as we shall act towards our other barons of England, unless it ought to be otherwise, according to the charters which we hold from William, his father, the former King of the Scots. And this shall be done through judgment of his peers in our court.

60. Moreover, all the subjects of our realm, clergy as well as laity, shall, as far as pertains to them, observe, with regard to their

vassals, all these aforesaid customs and liberties which we have decreed shall, as far as pertains to us, be observed in our realm with regard to our own.

61. Inasmuch as, for the sake of God, and for the bettering of our realm, and for the more ready healing of the discord which has arisen between us and our barons, we have made all these aforesaid concessions, wishing them to enjoy forever entire and firm stability, we make and grant to them the following security: That the barons, namely, may elect at their pleasure, twenty-five barons from the realm, who ought, with all their strength, to observe, maintain and cause to be observed, the peace and privileges which we have granted to them and confirmed by this, our present charter. In such wise, namely, that if we, or our justice, or our bailiffs, or any one of our servants shall have transgressed against any one in any respect, or shall have broken some one of the articles of peace or security, and our transgression shall have been shown to four barons of the aforesaid twenty-five, those four barons shall come to us, or, if we are abroad, to our justice, showing to us our error; and they shall ask us to cause that error to be amended without delay. And if we do not amend that error, or, we being abroad, if our justice do not amend it within a term of forty days from the time when it was shown to us or, we being abroad, to our justice, the aforesaid four barons shall refer the matter to the remainder of the twenty-five barons, and those twenty-five barons, with the whole land in common, shall distrain and oppress us in every way in their power, namely, by taking our castles, lands and possessions, and in every other way that they can, until amends shall have been made according to their judgment. Saving the persons of ourselves, our queen and our children. And when amends shall have previously been made, they shall be in accord with us as they had been previously. And whoever of the land wishes to do so, shall swear that in carrying out all the aforesaid measures, he will obey the mandates of the aforesaid twenty-five barons, and that, with them, he will oppress us to the extent of his power. And to any one who wishes to do so, we publicly and freely give permission to swear; and we will never prevent any one from swearing. Moreover, all those in the land who shall be unwilling, themselves and of their own accord, to swear to the twenty-five barons as to distraining and oppressing us with them, such ones we shall make to swear by our mandate, as has been said. And if any one of the twenty-five barons shall die, or leave the country, or in any other way be prevented from carrying out the aforesaid measures, the remainder of the aforesaid

twenty-five barons shall choose another in his place, according to their judgment, who shall be sworn in the same way as the others. Moreover, in all things entrusted to those twenty-five barons to be carried out, if those twenty-five shall be present and chance to disagree among themselves with regard to some matter, or if some of them, having been summoned, shall be unwilling or unable to be present: that which the majority of those present shall decide or decree shall be considered binding and valid, just as if all the twenty-five had consented to it. And the aforesaid twenty-five shall swear that they will faithfully observe all the foregoing, and will cause them to be observed to the extent of their power. And we shall obtain nothing from any one, either through ourselves or through another, by which any of those concessions and liberties may be revoked or diminished. And if any such thing shall have been obtained, it shall be vain and invalid, and we shall never make use of it either through ourselves or through another.

62. And we have fully remitted to all, and pardoned, all the ill-will, anger and rancor which have arisen between us and our subjects, clergy and laity, from the time of the struggle. Moreover, we have fully remitted to all, clergy and laity, and—as far as pertains to us—have pardoned fully all the transgressions committed, on the occasion of that same struggle, from Easter of the sixteenth year of our reign until the re-establishment of peace. In witness of which, moreover, we have caused to be drawn up for them letters patent of Lord Stephen, Archbishop of Canterbury; Lord Henry, Archbishop of Dublin; and the aforesaid bishops and master Pandulf, regarding that surety and the aforesaid concessions.

63. Wherefore we will and firmly decree that the English Church shall be free, and that the subjects of our realm shall have and hold all the aforesaid liberties, rights and concessions, duly and in peace, freely and quietly, fully and entirely, for themselves and their heirs, from us and our heirs, in all matters and in all places, forever, as has been said. Moreover, it has been sworn, on our part as well as on the part of the barons, that all these above mentioned provisions shall be observed with good faith and without evil intent. The witnesses being the above mentioned and many others. Given through our hand, in the plain called Runnimede, between Windsor and Stanes, on the fifteenth day of June, in the seventeenth year of our reign.

OHIO STAT

THE POPULAR UPRISING UNDER BALL AND TYLER

The Populace of England Rebel Against the Nobility

While these conferences were going forward, there happened in England great commotions among the lower ranks of the people, by which England was near ruined without resource. Never was a country in such jeopardy as this was at that period, and all through the too great comfort of the commonalty. Rebellion was stirred up, as it was formely done in France by the Jacques Bons-hommes, who did much evil, and sore troubled the kingdom of France. It is marvellous from what a trifle this pestilence raged in England. In order that it may serve as an example to mankind, I will speak of all that was done, from the information I had at the time on the subject.

It is customary in England, as well as in several other countries, for the nobility to have great privileges over the commonalty, whom they keep in bondage; that is to say, they are bound by law and custom to plough the lands of gentlemen, to harvest the grain, to carry it home to the barn, to thrash and winnow it: they are also bound to harvest the hay and carry it home. All these services they are obliged to perform for their lords, and many more in England than in other countries. The prelates and gentlemen are thus served. In the counties of Kent, Essex, Sussex and Bedford, these services are more oppressive than in all the rest of the kingdom.

The evil-disposed in these districts began to rise, saying, they were too severely oppressed; that at the beginning of the world there were no slaves, and that no one ought to be treated as such, unless he had committed treason against his lord, as Lucifer had done against God: but they had done no such thing, for they were neither angels nor spirits, but men formed after the same likeness with their lords, who treated them as beasts. This they would not longer bear, but had determined to be free, and if they laboured or did any other works for their lords, they would be paid for it.

A crazy priest in the county of Kent, called John Ball, who, for his absurd preaching, had been thrice confined in the prison of the

archbishop of Canterbury, was greatly instrumental in inflaming them with those ideas. He was accustomed, every Sunday after mass, as the people were coming out of the church, to preach to them in the market place and assemble a crowd around him; to whom he would say,—"My good friends, things cannot go on well in England, nor ever will until every thing shall be in common; when there shall neither be vassal nor lord, and all distinctions levelled; when the lords shall be no more masters than ourselves. How ill have they used us! and for what reason do they thus hold us in bondage? Are we not all descended from the same parents, Adam and Eve? and what can they show, or what reasons give, why they should be more the masters than ourselves? except, perhaps, in making us labor and work, for them to spend. They are clothed in velvets and rich stuffs, ornamented with ermine and other furs, while we are forced to wear poor cloth. They have wines, spices, and fine bread, when we have only rye and the refuse of the straw; and, if we drink, it must be water. They have handsome seats and manners, when we must brave the wind and rain in our labours in the field; but it is from our labour they have wherewith to support their pomp. We are called slaves; and, if we do not perform our services, we are beaten, and we have not any sovereign to whom we can complain, or who wishes to hear us and do us justice. Let us go to the king, who is young, and remonstrate with him on our servitude, telling him we must have it otherwise, or that we shall find a remedy for it ourselves. If we wait on him in a body, all those who come under the appellation of slaves, or are held in bondage, will follow us in the hopes of being free. When the king shall see us, we shall obtain a favourable answer, or we must then seek ourselves to amend our condition."

With such words as these did John Ball harangue the people, at his village, every Sunday after mass, for which he was much beloved by them. Some who wished no good declared it was very true, and murmuring to each other, as they were going to the fields, on the road from one village to another, or at their different houses, said, "John Ball preaches such and such things, and he speaks truth."

The archbishop of Canterbury, on being informed of this, had John Ball arrested, and imprisoned for two or three months by way of punishment; but it would have been better if he had been confined during his life, or had been put to death, than to have been suffered thus to act. The archbishop set him at liberty, for he could not for

conscience sake have put him to death. The moment John Ball was out of prison, he returned to his former errors. Numbers in the city of London having heard of his preaching, being envious of the rich men and nobility, began to say among themselves, that the kingdom was too badly governed, and the nobility had seized on all the gold and silver coin. These wicked Londoners, therefore, began to assemble and to rebel: they sent to tell those in the adjoining counties, they might come boldly to London, and bring their companions with them, for they would find the town open to them, and the commonalty in the same way of thinking; that they would press the king so much, there should no longer be a slave in England.

These promises stirred up those in the counties of Kent, Essex, Sussex and Bedford, and the adjoining country, so that they marched towards London; and, when they arrived near, they were upwards of sixty thousand. They had a leader called Wat Tyler, and with him were Jack Straw and John Ball: these three were their commanders but the principal was Wat Tyler. This Wat had been a tiler of houses, a bad man, and a great enemy to the nobility. When these wicked people first began to rise, all London, except their friends, were very much frightened. The mayor and rich citizens assembled in council, on hearing they were coming to London, and debated whether they should shut the gates and refuse to admit them; but, having well considered, they determined not to do so, as they should run a risk of having the suburbs burnt.

The gates were therefore thrown open, when they entered in troops of one and two hundred, by twenties or thirties, according to the populousness of the town they came from; and as they came into London they lodged themselves. But it is a truth, that full two-thirds of these people knew not what they wanted, nor what they sought for: they followed one another like sheep, or like to the shepherds of old, who said they were going to conquer the Holy Land, and afterwards accomplished nothing. In such manner did these poor fellows and vassals come to London from distances of a hundred and sixty leagues, but the greater part from those counties I have mentioned, and on their arrival they demanded to see the king. The gentlemen of the country, the knights and squires, began to be alarmed when they saw the people thus rise: and, if they were frightened, they had sufficient reason, for less causes create fear. They began to collect together as well as they could.

The Nobles of England are in Great Danger of Being Destroyed.—Three of the Principal Leaders of the Rebels are Punished, and the Rest Sent Back to their Homes

When the king was on his way to the place called Mile-end, without London, his two brothers, the Earl of Kent and Sir John Holland, stole off and galloped from his company, as did also the lord de Gommegines, not daring to show themselves to the populace at Mile-end for fear of their lives.

On the king's arrival, attended by the barons, he found upwards of sixty thousand men assembled from different villages and counties of England: he instantly advanced into the midst of them, saying in a pleasant manner, "My good people, I am your king and your lord: what is it you want? and what do you wish to say to me?" Those who heard him answered, "We wish thou wouldst make us free for ever, us, our heirs and our lands, and that we should no longer be called slaves, nor held in bondage." The king replied, "I grant your wish: now, therefore, return to your homes and the places from whence you came, leaving behind two or three men from each village, to whom I will order letters to be given sealed with my seal, which they shall carry back with every demand you have made fully granted: and, in order that you may be the more satisfied, I will direct that my banners shall be sent to every stewardship, castlewick, and corporation." These words greatly appeased the novices and well-meaning ones who were there, and knew not what they wanted, saying, "It is well said: we do not wish for more." The people were thus quieted, and began to return towards London.

The king added a few words, which pleased them much: "You, my good people of Kent, shall have one of my banners; and you also of Essex, Sussex, Bedford, Suffolk, Cambridge, Stafford, and Lincoln, shall each of you have one; and I pardon you all for what you have hitherto done; but you must follow my banners, and now return home on the terms I have mentioned." They unanimously replied they would. Thus did this great assembly break up, and set out for London. The king instantly employed upwards of thirty secretaries, who drew up the letters as fast as they could; and, having sealed and delivered them to these people, they departed, and returned to their own counties.

The principal mischief remained behind: I mean Wat Tyler,

Jack Straw, and John Ball, who declared, that though the people were satisfied, they would not thus depart; and they had more than thirty thousand who were of their mind. They continued in the city, without any wish to have their letters, or the king's seal; but did all they could to throw the town into such confusion that the lords and rich citizens might be murdered, and their houses pillaged and destroyed. The Londoners suspected this, and kept themselves at home, with their friends and servants, well armed and prepared, every one according to his abilities.

When the people had been appeased at Mile-end Green, and were setting off for their different towns as speedily as they could receive the king's letters, king Richard went to the Wardrobe, where the princess was in the greatest fear: he comforted her, as he was very able to do, and passed there the night.

I must relate an adventure which happened to these clowns before Norwich, and to their leader, called William Lister, who was from the county of Stafford. On the same day, these wicked people burnt the palace of the Savoy, the church and house of St. John, the hospital of the Templars, pulled down the prison of Newgate, and set at liberty all the prisoners. There were collected numerous bodies from Lincolnshire, Norfolk, and Suffolk, who proceeded on their march towards London, according to the orders they had received, under the direction of Lister.

In their road they stopped near Norwich, and forced every one to join them, so that none of the commonalty remained behind. The reason why they stopped near Norwich was, that the governor of the town was a knight called Sir Robert Salle: he was not by birth a gentleman, but, having acquired great renown for his ability and courage, king Edward had created him a knight: he was the handsomest and strongest man in England. Lister and his companions took it into their heads they would make this knight their commander, and carry him with them, in order to be the more feared. They sent orders to him to come out into the fields with them, or they would attack and burn the city. The knight, considering it was much better for him to go to them than that they should commit such outrages, mounted his horse, and went out of the town alone, to hear what they had to say. When they perceived him coming, they showed him every mark of respect, and courteously entreated him to dismount, and talk with them. He did dismount, and committed a great folly: for, when he had so done, having surrounded him, they at first conversed in a friendly way,

saying, "Robert, you are a knight, and a man of great weight in this country, renowned for your valour: yet, notwithstanding all this, we know who you are: you are not a gentleman, but the son of a poor mason, just such as ourselves. Do you come with us, as our commander, and we will make so great a lord of you that one quarter of England shall be under your command."

The knight, on hearing them thus speak, was exceedingly angry; he would never have consented to such a proposal; and, eyeing them with inflamed looks, answered, "Begone, wicked scoundrels and false traitors as you are: would you have me desert my natural lord for such a company of knaves as you? would you have me dishonour myself? I would much rather you were all hanged, for that must be your end." On saying this, he attempted to mount his horse; but, his foot slipping from the stirrup, his horse took fright. They then shouted out, and cried, "Put him to death. When he heard this, he let his horse go; and, drawing a handsome Bordeaux sword, he began to skirmish, and soon cleared the crowd from about him, that it was a pleasure to see. Some attempted to close with him; but with each stroke he gave, he cut off heads, arms, feet, or legs. There were none so bold but were afraid; and Sir Robert performed that day marvellous feats of arms. These wretches were upwards of forty thousand; they shot and flung at him such things, that had he been clothed in steel instead of being unarmed, he must have been overpowered: however, he killed twelve of them, besides many of whom he wounded. At last, he was overthrown, when they cut off his legs and arms, and rent his body in piecemeal. Thus ended Sir Robert Salle, which was a great pity; and, when the knights and squires in England heard of it, they were much enraged.

On the Saturday morning, the king left the Wardrobe, and went to Westminster, where he and all the lords heard mass in the abbey. In this church, there is a statue of our Lady in a small chapel, that has many virtues and performs great miracles, in which the kings of England have much faith. The king, having paid his devotions and made his offerings to this shrine, mounted his horse about nine o'clock, as did the barons who were with him. They rode along the causeway to return to London; but, when they had gone a little way, he turned to a road on the left to go from London.

This day, all the rabble were again assembled, under the conduct of Wat Tyler, Jack Straw, and John Ball, to parley at a place called Smithfield, where, every Friday, the horsemarket is kept. They

amounted to upwards of twenty thousand, all of the same sort. Many more were in the city, breakfasting and drinking Rhenish and Malmsey Madeira wines, in taverns and at the houses of the Lombards, without paying for anything; and happy was he who could give them good cheer. Those who were collected in Smithfield had the king's banners, which had been given to them the preceding evening; and these reprobates wanted to pillage the city this same day, their leaders saying, "that hitherto they had done nothing. The pardons which the king has granted will not be of much use to us: but, if we be of the same mind, we shall pillage this large, rich, and powerful town of London, before those from Essex, Suffolk, Cambridge, Bedford, Warwick, Reading, Lancashire, Arundel, Guildford, Coventry, Lynne, Lincoln, York, and Durham shall arrive; for they are on the road, and we know for certain that Vaquier and Lister will conduct them hither. If we now plunder the city of the wealth that is in it, we shall have been beforehand, and shall not repent of so doing; but, if we wait for their arrival, they will wrest it from us." To this opinion all had agreed, when the king appeared in sight, attended by sixty horse. He was not thinking of them, but intended to have continued his ride without coming into London: however, when he came before the abbey of St. Bartholomew, which is in Smithfield, and saw the crowd of people, he stopped, and said he would not proceed until he knew what they wanted; and, if they were troubled, he would appease them.

The lords who accompanied him stopped also, as was but right, since the king had stopped; when Wat Tyler, seeing the king, said to his men, "Here is the king: I will go and speak with him: do not you stir from hence until I give you a signal." He made a motion with his hand, and added, "When you shall see me make this sign, then step forward, and kill every one except the king; but hurt him not, for he is young, and we can do what we please with him; for, by carrying him with us through England, we shall be lords of it without any opposition." There was a doublet-maker of London, called John Ticle, who had brought sixty doublets, with which some of the clowns had dressed themselves; and on his asking who was to pay, for he must have for them thirty good marcs, Tyler replied, "Make thyself easy man; thou shalt be well paid this day: look to me for it: thou hast sufficient security for them." On saying this, he spurred the horse on which he rode, and, leaving his men, galloped up to the king, and came so near that his horse's head touched the crupper of that of the king. The first words he said, when he addressed the king,

were, "King, dost thou see all those men there?" "Yes," replied the king: "why dost thou ask?" "Because they are all under my command, and have sworn by their faith and loyalty to do whatever I shall order." "Very well," said the king: "I have no objections to it." Tyler, who was only desirous of a riot, answered, "And thinkest thou, that those people and as many more who are in the city, also under my command, ought to depart without having had thy letters? Oh no, we will carry them with us." "Why," replied the king, "so it has been ordered, and they will be delivered out one after the other: but, friend, return to thy companions, and tell them to depart from London: be peaceable and careful of yourselves, for it is our determination that you shall all of you have your letters by villages and towns, as it had been agreed on."

As the king finished speaking, Wat Tyler, casting his eyes around him, spied a squire attached to the king's person bearing his sword. Tyler mortally hated this squire; formerly they had had words together, when the squire ill-treated him. "What, art thou there?" cried Tyler: "give me thy dagger." "I will not," said the squire: "why should I give it thee?" The king, turning to him, said, "Give it him, give it him;" which he did, though much against his will. When Tyler took it, he began to play with it and turn it about in his hand, and, again addressing the squire, said, "Give me that sword." "I will not," replied the squire; "for it is the king's sword, and thou art not worthy to bear it, who art but a mechanic; and, if only thou and I were together, thou wouldst not have dared to say what thou hast for as large a heap of gold as this church." "By my troth," answered Tyler, "I will not eat this day before I have thy head." At these words, the mayor of London, with about twelve more, rode forward, armed under their robes, and, pushing through the crowd, saw Tyler's manner of behaving: upon which, he said, "Scoundrel, how dare you thus behave in the presence of the king, and utter such words? It is too impudent for such as thou." The king then began to be enraged, and said to the mayor, "Lay hands on him."

Whilst the king was giving this order, Tyler had addressed the mayor, saying, "Hey, in God's name, what I have said, does it concern thee? what dost thou mean?" "Truly," replied the mayor, who found himself supported by the king, "does it become such a stinking rascal as thou art to use such speech in the presence of the king, my natural lord? I will not live a day, if thou pay not for it." Upon this, he drew a kind of scimetar he wore, and struck Tyler such a blow

on the head as felled him to his horse's feet. When he was down, he was surrounded on all sides, so that his men could not see him; and one of the king's squires, called John Sandwich, immediately leaped from his horse, and, drawing a handsome sword which he bore, thrust it into his belly, and thus killed him.

His men, advancing, saw their leader dead, when they cried out, "They have killed our captain: let us march to them, and slay the whole." On these words, they drew up in a sort of battle-array, each man having his bent bow before him. The king certainly hazarded much by this action, but it turned out fortunate; for, when Tyler was on the ground, he left his attendants, ordering not one to follow him. He rode up to these rebellious fellows, who were advancing to revenge their leader's death, and said to them, "Gentlemen, what are you about? you shall have no other captain but me: I am your king: remain peaceable." When the greater part of them heard these words, they were quite ashamed, and those inclined to peace began to slip away. The riotous ones kept their ground, and showed symptoms of mischief, and as if they were resolved to do something.

The king returned to his lords, and asked them what should next be done. He was advised to make for the fields; for the mayor said, "that to retreat or fly would be of no avail. It is proper we should act thus, for I reckon that we shall very soon receive assistance from London, that is, from our good friends who are prepared and armed, with all their servants in their houses." While things remained in this state, several ran to London, and cried out, "They are killing the king! they are killing the king and our mayor." Upon this alarm, every man of the king's party sallied out towards Smithfield, and to the fields whither the king had retreated; and there were instantly collected from seven to eight thousand men in arms.

Among the first, came Sir Robert Knolles and Sir Perducas d'Albreth, well attended; and several of the aldermen, with upwards of six hundred men at arms, and a powerful man of the city called Nicholas Bramber, the king's draper, bringing with him a large force, who, as they came up, ranged themselves in order, on foot, on each side of him. The rebels were drawn up opposite them: they had the king's banners, and showed as if they intended to maintain their ground by offering combat. The king created three knights; Sir William Walworth, mayor of London, Sir John Standwich, and Sir Nicholas Bramber. The lords began to converse among themselves, saying, "What shall we do? We see our enemies, who would willingly have murdered us

if they had gained the upper hand." Sir Robert Knolles advised immediately to fall on them, and slay them; but the king would not consent, saying, "I will not have you act thus: you shall go and demand from them my banners: we shall see how they will behave when you make this demand; for I will have them by fair or foul means." "It is a good thought," replied the earl of Salisbury.

The new knights were therefore sent, who, on approaching, made signs for them not to shoot, as they wished to speak with them. When they had come near enough to be heard, they said, "Now attend: the king orders you to send back his banners, and we hope he will have mercy on you." The banners were directly given up, and brought to the king. It was then ordered, under pain of death, that all those who had obtained the king's letters should deliver them up. Some did so; but not all. The king, on receiving them, had them torn in their presence. You must know, that from the instant when the king's banners were surrendered, these fellows kept no order; but the greater part, throwing their bows to the ground, took to their heels and returned to London.

Sir Robert Knolles was in a violent rage that they were not attacked, and the whole of them slain; but the king would not consent to it, saying, he would have ample revenge on them, which in truth he afterwards had.

Thus did these people disperse, and run away on all sides. The king, the lords, and the army returned in good array to London, to their great joy. The king immediately took the road to the Wardrobe, to visit the princess his mother, who had remained there two days and two nights under the greatest fears, as indeed she had cause. On seeing the king her son, she was mightily rejoiced, and said, "Ha, ha, fair son, what pain and anguish have I not suffered for you this day!" "Certainly, madam," replied the king, "I am well assured of that; but now rejoice and thank God, for it behoves us to praise him, as I have this day regained my inheritance, and the kingdom of England, which I had lost."—Translation of Froissart's Chronicles.

MARSILIUS OF PADUA

MARSILLUS OF PADUA was born in the latter half of the 13th century. He was a learned lawyer, and as the counsellor of the emperor Lewis of Bavaria took up the side of the State against the Church. His name has been so nearly forgotten as not to appear in any of our encyclopedias, but his ideas of the independence of State and Church have become one of the pillars of our constitution. His work is the best and one of the earliest expressions of this principle, but he is so terribly prolix that his thought can be best represented by selections. He was excommunicated by Pope John XXII. in 1327, and his memory long held in execration by the Church. Gregory IX. accused Wycliffe of adopting the opinions of 'Marsilio of cursed memory,' and his writings no doubt did much to hasten the separation of government and religion. He died in 1328.

Since the fifth century the thought of Europe had been almost entirely along religious lines, and though religion was to remain the most important subject for discussion for the next three centuries, the change that finally overthrew its absolute universal empire had begun.

THE BEGINNING OF THE MODERN THEORY OF THE STATE

Now we declare according to the truth and on the authority of Aristotle that the law-making power or the first and real effective source of law is the people or the body of citizens or the prevailing part of the people according to its election or its will expressed in general convention by vote, commanding or deciding that something be done or omitted in regard to human civil acts under penalty or temporal punishment; by the prevailing part of the people I mean that part of the community by whom the law is made, whether the whole body of citizens or the main part do this or commit it to some person or persons to be done; these last are not nor can be the real law-making power, but can only act according to instructions as to subject-matter and time, and by the authority of the primal law-making power. . . On the authority of Aristotle by a citizen I mean him who has a part in the civil community, either in the government, or the council, or

the judiciary, according to his position. By this definition boys, slaves, foreigners, and women are excluded, though according to different limitations. . . . . Having thus defined citizen and the prevailing section of the citizens, let us return to the object proposed, namely to demonstrate that the human authority of making laws belongs only to the whole body of citizens as the prevailing part of it.. . . . . For the primal human authority of making laws belongs to that body by whom the best laws can be made. This, however, is the whole body of citizens or its better part which represents the whole. . . . I now prove the second proposition, namely that the best law will result from the deliberation and decision of the whole body. . . . That this can be done best by the citizens as a whole or the better part of them, I demonstrate thus, since the truth of anything will be judged more accurately, and its common advantage be studied more diligently, if the whole body of citizens discuss it with intelligence and feeling. . . . . So the reality of a general law will be best attended to by the whole people, because no one conciously injures himself.

On the other side we desire to adduce in witness the truths of the holy Scripture, teaching and counselling expressly, both in the literal sense and in the mystical according to the interpretation of the saints and the exposition of other authorized teachers of the Christian faith, that neither the Roman bishop, called the pope, nor any other bishop, presbyter, or deacon, ought to have the ruling or judgment or coercive jurisdiction of any priest, prince, community, society or single person of any rank whatsoever.

. . . For the present purposes, it suffices to show, and I will first show, that Christ Himself did not come into the world to rule men, or to judge them by civil judgment, nor to govern in a temporal sense, but rather to subject Himself to the state and condition of this world; that indeed from such judgment and rule He wished to exclude and did exclude Himself and His apostles and disciples, and that He excluded their successors, the bishops and presbyters, by His example, and word and counsel and command from all governing and worldly, that is, coercive rule. I will also show that the apostles were true imitators of Christ in this, and that they taught their successors to be so. I will further demonstrate that Christ and His apostles desired to be subject and were subject continually to the coercive jurisdiction of the princes of the world in reality and in person, and that they taught and commanded all others to whom they gave the law of truth by word or letter, to do the same thing, under penalty of eternal con-

demnation. Then I will give a section to considering the power or authority of the keys, given by Christ to the apostles and to their successors in offices, the bishops and presbyters, in order that we may see the real character of that power, both of the Roman bishop and of the others. . . . .

We wish, therefore, first to demonstrate that Christ wished to exclude and did exclude both Himself and His apostles from the office of ruler. . . . . This appears in John, 18. For when Christ was accused before Pontius Pilate, vicar of the Roman emperor in Judea, for saying that he was king of the Jews, and Pilate asked Him if He had said that, or if He had called Himself a king, He replied to the question of Pilate: "My kingdom is not of this world;" that is, I am come not to reign by temporal rule and dominion, as the kings of the world reign. . . . . It remains to show that Christ not only refused the rule of this world and coercive jurisdiction on earth, whereby He gave an example for action to His apostles and disciples and their successors, but that He also taught by word and showed by example that all, whether priests or not, should be subject in reality and in person to the coercive judgment of the princes of this world. By His word and example Christ demonstrated this first in physical things, in the incident contained in Matthew 22, when to the Jews asking Him: "Tell us, therefore, what thinkest Thou; is it lawful to give tribute unto Caesar or not?" looking at the penny and its superscription, he replied: "Render, therefore, unto Caesar the things which are Caesar's, and unto God the things which are God's." . . .

Further not only in physical things did Christ show that He was subject to the coercive jurisdiction of a prince of the world, but He showed it also in Himself. . . . . for it plainly appears that He permitted Himself to be taken and led to the court of Pilate, vicar of the Roman emperor, and endured that He be condemned and handed over by the same judge to the extreme punishment.

Following upon this, it remains to demonstrate what power, authority and judgment Christ wished to give to the apostles and their successors, and did in fact give according to the words of the holy Scripture. Among other things which seem to have direct reference to this are the words which Christ spoke to Peter, Math. 16: "I will give unto thee the keys of the kingdom of heaven;" also those spoken by Him to all the apostles, when He said: "Whatsoever ye shall bind on earth shall be bound in heaven, and whatsoever ye shall loose on earth shall be loosed in heaven." On these words especially is based

the claim and title to the plenitude of power, which the Roman bishop ascribes to himself. . . . .

By the sacrament of baptism, which Christ commanded to be administered by the apostles, He caused them to understand also the administration of the other sacraments instituted for the eternal salvation of mankind; one of these is the sacrament of repentance by which the actual guilt of the human soul, both mortal and venial, is destroyed, and the soul, corrupt in itself through guilt, is restored by the grace of God, without any human effort, God ordaining that meritorious works should not win eternal life. Hence it is written in Romans VI: "The gift of God is eternal life." The ministers of this sacrament, as of the others, are the priests and presbyters, as successors of the apostles of Christ, to all of whom it is shown by the aforesaid words of Scripture the power of the keys was given, that is, the power of conferring the sacrament of repentance, in other words, the power of loosing and binding men in regard to their sins. . . . . It will appear later how it is possible for priests to receive into or exclude from the kingdom; and from this also the character and extent of the power of those keys, given by Christ to Peter and the other apostles. . . . . By his guilt the sinner is under the bond of eternal condemnation for the future life, and if he persists in his guilt, he is cast off from the association of the faithful in this world, by a kind of punishment resting with the believers of Christ, called excommunication. And on the other hand we should notice that the sinner receives a three-fold benefit through his sorrow for sin and open confession to the priests, to which acts, both singly and taken together, the name repentance is given. The first benefit is that he is cleansed from his inner guilt and restored to himself by the grace of God; the second, that he is freed from the bond of eternal damnation, to which he was bound by his guilt; and the third, that he is reconciled to the church, that is, he is reunited or ought to be reunited to the body of believers. . .

From these words of the saints . . . it clearly appears that God alone remits to the truly penitent sinner his guilt and his debt of eternal condemnation, and that without any office of the priest preceding or intervening, as has been demonstrated above. . . . . For it is God alone who cannot err as to whose sin should be remitted or retained. For He alone is not moved by unfair feeling nor judges unjustly. Not of such character is the church or the priest whoever he may be, even the Roman bishop. . . . . The anathema of the church inflicts upon those who are justly expelled, this punishment:

that the grace and protection of God is withdrawn from them and is abandoned by them themselves, so that they are free to rush into the destruction of sin, and greater power of destroying them is given to the devil. . . . .

Ambrose says that "the word of God remits sins; the priest performs his service but has no right of authority. But we may say that the priest is as it were the turnkey of the heavenly judge, so that he frees the sinner in the same sense that the turnkey of an earthly judge frees a prisoner. For just as the guilty man is condemned to or released from guilt and civil penalty by the word or sentence of a judge of this world, so by the divine word anyone is either to be freed from or condemned to guilt and the debt of damnation and the punishment of the future life. And just as no one is freed from guilt and penalty or condemned by the action of the turnkey of a worldly judge, and yet by his action in closing or opening the prison the guilty one is shown to be freed or condemned, so no one is freed from or bound to guilt and the debt of eternal condemnation by the action of the priest, but it is demonstrated before the eyes of the church who is held bound or freed by God, when he receives the benediction of the priest, or is admitted to the communion of the sacraments." . . . . Therefore just as the turnkey of an earthly judge fulfills his office in opening and closing the prison, but exercises no right of judicial authority of condemning or pardoning, since even if he actually opened the prison for a criminal not pardoned by the judge and announced to the people with his own voice that the man was free, the guilty man would not on this account be freed from his guilt and the civil penalty, or on the other hand if he refused to open the prison and declared with his own words that he whom the judge had freed by his sentence was not pardoned but condemned, that man would not on this account be held subject to the guilt and penalty; so likewise the priest, the turnkey of the heavenly judge, performs his duty by the verbal pronunciation of the absolution or malediction. But if those who ought to be condemned by the divine judge or are already condemned, the priest should pronounce as not worthy to be condemned or as not condemned, or vice versa, through ignorance or deceit or both. not on this account would the former be dissolved or the latter damned, because the priest had not handled the key or keys with discretion according to the merits of the accused.

Proceeding from what has been demonstrated, we will show here first that no one of the apostles was given pre-eminence over the other

in essential dignity by Christ. . . . . For Christ, giving to the apostles the authority over the sacrament of the eucharist, said to them; "This is My Body which is given for you, this do in remembrance of Me." . . . And he did not say these words more to Peter than to the others. For Christ did not say: "Do thou this, and give the right of doing it to the other apostles," but He said, "Do" in the plural, and to all without distinction. . . . . And later Christ said to the apostles: "As My Father has sent Me, even so send I you. He breathed on them and saith unto them, "Receive ye the Holy Ghost, whosesoever sins ye remit, they are remitted unto them, and whosoever sins ye retain, they are retained." Now Christ said: "I send you as My Father sent Me;" He did not say to Peter or to any other apostle in the singular, "I send thee as the Father, etc., do thou send the others." Nor again did Christ breathe upon him, but upon them, not upon one through another. Nor did Christ say to Peter: "Receive the Holy Ghost, and afterwards give it to the others," but he said, Receive, in the plural and speaking to all indifferently. . . . .

It likewise appears that neither St. Peter nor any one of the apostles had pre-eminence over the others in the right of distributing the temporal offerings of the primitive church; whence it is written in Acts IV: "For as many as were possessors of lands or houses sold them, and laid them at the apostles' feet, and distribution was made unto every man according as he had need." Behold, the distribution of the temporal offerings of the church was made by the apostles in general, not by Peter alone; for it is not said: they laid them at the feet of Peter, but of the apostles. Nor it is said that "Peter distributed them," but that "distribution was made." . . . .

But if Peter has been called the prince of the apostles by some of the saints, the term is used broadly and by a misuse of the word prince, otherwise it would be plainly opposed to the opinion and oracle of Christ, where He said: "The princes of the Gentiles exercise dominion over them, but it shall not be so among you." And it must be said that the saints spoke thus not because of any power given to him by Christ over the other apostles, but because perchance he was older than the others: or because he was the first to confess that Christ was the true consubstantial Son of God, or perhaps because he was more fervent and constant in faith, or because he was intimate with Christ and was more frequently called by Him into His counsel and secrets. . . . .

Moreover he did not have coercive jurisdiction over the rest of

the apostles more than they over him, neither consequently have his successors. For Christ forbade this to them directly, as in Matt. 20, Luke 22: And there was also a strife among them, which of them should be counted the greatest. And He said unto them: The kings and princes of the Gentiles exercise dominion over them, and they that are great exercise authority upon them, but it shall not be so among you;" Christ could not have denied this more plainly. Why then should anyone in regard to this believe more in human tradition, than in the most evident word of Christ? . . . .

Further, the Roman bishop is not nor should he be called the successor of St. Peter by the laying on of hands, for there has been a Roman bishop upon whom St. Peter has not laid his hand either directly or indirectly; nor again because of the seat or the determination of the place, first because no one of the apostles was appointed to any people or any place by divine law; for he said to all: "Go ye therefore and teach all nations;" and in the second place, St. Peter is said to have been at Antioch before he was at Rome.

The aforesaid plenitude of power the bishops of Rome have used continually up to the present and are now using for the worse, especially against the Roman prince and principality. For they are able to exercise against him this their wickedness, that is, the subjection of the empire to themselves, because of the division among the inhabitants of the empire, and are able by their so-called pastors and most holy fathers to stir up and nourish the discord already incited. For they further believe that, the empire once subdued, the way lies open for them to subject the rest of the kingdoms, although they are especially and peculiarly under obligation to the emperor and empire of the Romans, by reason of benefits received, as is known to all. But, to speak only of what is known to everyone and needs no word from us, smitten with cupidity and avarice, with pride and ambition, made even worse by ingratitude, they are seeking in every way to prevent the creation of a Roman emperor, and are striving either to break up the empire, or to transfer it in another form to their own control, lest the excesses which they have committed should be corrected by the power of the aforesaid princes and they should be subject to well-merited discipline. But although with the purpose which we have mentioned they are placing obstructions in the way of the prince on every side, yet craftily hiding their object they say they are doing this to defend the rights of the spouse of Christ, that is the church, though such pious sophistry is ridiculous. For temporal power and greed,

and lust of authority and rule is not the spouse of Christ, nor has He wedded such a spirit, but has expressly repudiated it, as has been shown from the divine Scriptures. . . . . Nor is this the heritage of the apostles which they left to their true, not fictitious, successors. . . . And so by their striving for worldly things, the spouse of Christ is not truly defended. The recent Roman popes do not defend her who is the spouse of Christ, that is, the Catholic faith and the multitude of the believers, but offend her; they do not preserve her beauty, that is, the unity of the faith, but defile it; since by sowing tares and schisms they are tearing her limb from limb, and since they do not receive the true companions of Christ, poverty and humility, but shut them out entirely, they show themselves not servants but enemies of the husband. —The Defender of the Faith.

TRANSLATIONS OF E. H. MCNEAL.

De 20 '40